

FEDERAL REGISTER

VOLUME 20

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Washington, Wednesday, June 15, 1955

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

FEDERAL POWER COMMISSION

Effective upon publication in the FEDERAL REGISTER, paragraphs (b) and (c) of § 6.125, and paragraphs (b) (c), (d), and (e) of § 6.225 are revoked.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633; E. O. 10440, 18 F. R. 1823, 3 CFR, 1953 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] Wm. C. HULL,
Executive Assistant,

[F. R. Doc. 55-4766; Filed, June 14, 1955; 8:51 a. m.]

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

STATE DEPARTMENT

Effective upon publication in the FEDERAL REGISTER, paragraph (m) (4) of § 6.302 is revoked.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633; E. O. 10440, 18 F. R. 1823, 3 CFR, 1953 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] Wm. C. HULL,
Executive Assistant.

[F. R. Doc. 55-4765; Filed, June 14, 1955; 8:51 a. m.]

Chapter III—Foreign and Territorial Compensation

[Dept. Reg. 108.258]

PART 325—ADDITIONAL COMPENSATION IN FOREIGN AREAS

DESIGNATION OF DIFFERENTIAL POSTS

Section 325.11 *Designation of differential posts* is amended as follows, effective as of the beginning of the first pay period following July 2, 1955:

1. Paragraph (a) is amended by the deletion of the following post:

Mesched, Iran.

2. Paragraph (b) is amended by the deletion of the following posts:

Iran, all posts except Ahwaz, Kerman, Kermanshah, Mesched and Tabriz.

3. Paragraph (b) is amended by the addition of the following posts:

Iran, all posts except Ahwaz, Kerman, Kermanshah, Tabriz, and Tehran.

4. Paragraph (c) is amended by the addition of the following post:

Tehran, Iran.

(Sec. 102, Part I, E. O. 10000, 13 F. R. 5453; 3 CFR, 1948 Supp.)

For the Secretary of State.

LOY W. HENDERSON,
*Deputy Under Secretary
for Administration.*

JUNE 8, 1955.

[F. R. Doc. 55-4745; Filed, June 14, 1955; 8:46 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans

PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

AVERAGE VALUES OF FARMS; MISSISSIPPI

For the purposes of title I of the Bankhead-Jones Farm Tenant Act, as amended, average values of efficient family-type farm-management units for the counties identified below are determined to be as herein set forth. The average values heretofore established for said counties, which appear in the tabulations of average values under § 311.29, Chapter III, Title 6 of the Code of Federal Regulations, are hereby superseded by the average values set forth below for said counties.

County	MISSISSIPPI	Average value
Adams	-----	\$15,000
Alcorn	-----	15,000
Amite	-----	15,000
Attala	-----	15,000
Benton	-----	15,000
Bolivar	-----	18,000
Calhoun	-----	15,000
Carroll	-----	18,000
Chickasaw	-----	15,000
Choctaw	-----	15,000

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CFR SUPPLEMENTS (For use during 1955)

The following Supplements are now available:

Title 7—Part 900 to end (\$2.25)
Title 8 (\$0.45)

Previously announced: Title 3, 1954 Supp. (\$1.75); Title 7—Parts 1-209 (\$0.60); Title 9 (\$0.65); Titles 10-13 (\$0.50); Title 14: Parts 1-399 (\$2.25); Part 400 to end (\$0.65); Title 16 (\$1.25); Title 18 (\$0.50); Title 19 (\$0.40); Title 20 (\$0.75); Titles 22-23 (\$0.75); Title 24 (\$0.75); Title 25 (\$0.50); Titles 28-29 (\$1.25); Titles 30-31 (\$1.25); Titles 35-37 (\$0.75); Titles 40-42 (\$0.50); Titles 44-45 (\$0.75); Title 49: Parts 1-70 (\$0.60); Parts 71-90 (\$0.75); Parts 91-164 (\$0.50); Part 165 to end (\$0.60)

Order from Superintendent of Documents, Government Printing Office, Washington 25, D. C.

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MISSISSIPPI—continued

County—Continued	Average value
Claiborne	\$15,000
Clarke	15,000
Clay	15,000
Coahoma	18,000
Copiah	15,000
Covington	15,000
De Soto	15,000
Forrest	15,000
Franklin	15,000
George	15,000
Greene	15,000
Grenada	15,000
Hancock	15,000
Harrison	15,000
Hinds	15,000
Holmes	18,000
Humphreys	18,000
Issaquena	18,000
Itawamba	15,000
Jackson	15,000
Jasper	15,000
Jefferson	15,000
Jefferson Davis	15,000
Jones	15,000
Kemper	15,000
Lafayette	15,000
Lamar	15,000
Lauderdale	15,000
Lawrence	15,000
Leake	15,000
Lee	15,000
Leflore	18,000
Lincoln	15,000
Lowndes	15,000
Madison	15,000
Marion	15,000
Marshall	15,000
Monroe	15,000
Montgomery	15,000
Neshoba	15,000
Newton	15,000
Noxubee	15,000
Oktibbeha	15,000
Panola	18,000
Pearl River	15,000
Perry	15,000
Pike	15,000
Pontotoc	15,000
Prentiss	15,000
Quitman	18,000
Rankin	15,000
Scott	15,000
Sharkey	18,000
Simpson	15,000
Smith	15,000
Stone	15,000
Sunflower	18,000
Tallahatchie	18,000
Tate	15,000
Tippah	15,000
Tishomingo	15,000
Tunica	18,000
Union	15,000
Walthall	15,000
Warren	18,000
Washington	18,000
Wayne	15,000
Webster	15,000
Wilkinson	15,000
Winston	15,000
Yalobusha	15,000
Yazoo	18,000

(Sec. 41 (1), 60 Stat. 1066; 7 U. S. C. 1015 (1). Applies sec. 3 (a), 60 Stat. 1074; 7 U. S. C. 1003 (a))

Dated this 9th day of June 1955.

[SEAL] H. C. SMITH,
Acting Administrator
Farmers Home Administration.

[F. R. Doc. 55-4752; Filed, June 14, 1955; 8:48 a. m.]

[FHA Instruction 401.2]

PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

REVOCATION OF LISTING IN SOUTH DAKOTA

Armstrong County in South Dakota was merged with Dewey County by action of the State legislature of South Dakota. The listing for Armstrong County in § 311.29, Title 6, Code of Federal Regulations is hereby revoked. The average values of farms in the area formerly included in Armstrong County will be the same as the values appearing for Dewey County.

(Sec. 41 (1), 60 Stat. 1066; 7 U. S. C. 1015 (1))

Dated this 9th day of June 1955.

[SEAL] H. C. SMITH,
Acting Administrator,
Farmers Home Administration.

[F. R. Doc. 55-4753; Filed, June 14, 1955; 8:48 a. m.]

Subchapter E—Account Servicing

[FHA Instruction 451.4]

PART 366—PAYMENT-IN-FULL

SUBPART A—DIRECT FARM OWNERSHIP, OTHER REAL ESTATE, AND FARM HOUSING ACCOUNTS

The title to Subpart A is revised to read as set forth above and Subpart A, Title 6, Code of Federal Regulations (20 F. R. 321) is revised to incorporate reference to servicing for other real estate accounts and to read as follows:

Sec.

366.1 General.

366.2 Authorization.

366.3 Determining balance to be collected.

366.4 Delivery of satisfactions, notes and other documents.

366.5 Property insurance.

AUTHORITY: §§ 366.1 to 366.5 issued under sec. 41 (1), 60 Stat. 1066, sec. 510 (g), 63 Stat. 438; 7 U. S. C. 1015 (1), 42 U. S. C. 1480 (g). Interpret or apply secs. 3 (b) (6), 41 (h), 60 Stat. 1074, 1066, sec. 510 (d), 63 Stat. 437; 7 U. S. C. 1003 (b) (6), 1015 (h), 42 U. S. C. 1480 (d).

§ 366.1 *General.* Sections 366.1 to 366.5 set forth the authorizations, policies, and procedures for processing final payments on direct Farm Ownership, Other Real Estate, and Farm Housing accounts which are paid in full at any time after loan closing. In every case where a loan has been closed, including those where the entire principal of the loan is refunded before any of it has been previously disbursed from the supervised bank account, the borrower will be required to pay interest from the date of the note to the date final payment is received by the County Supervisor.

§ 366.2 *Authorization.* (a) The County Supervisor is authorized to accept final payment on a direct Farm Ownership, Other Real Estate, or Farm Housing account (except direct Farm Ownership accounts repaid in less than five years by sale of the farm when profit making seems to be the only significant

motive for the sale) and to execute the necessary releases and satisfactions in connection with the indebtedness. When a borrower who has not had his loan five years proposes to sell his farm and pay the Farm Ownership loan in full, and profit making seems to be the only significant motive for the sale, the County Supervisor will advise the State Director of the circumstances. The State Director is authorized to approve or disapprove the transaction and will inform the County Supervisor of the action to be taken.

(b) The State Director, with the assistance of the representative of the Office of the General Counsel, will issue a State Instruction which will instruct County Supervisors regarding the release or satisfaction of Farm Ownership, Other Real Estate, and Farm Housing mortgages when the loan is paid in full.

§ 366.3 *Determining balance to be collected.* (a) When a borrower has indicated his desire to pay his direct Farm Ownership, Other Real Estate, or Farm Housing account in full, the County Supervisor will prepare and forward to the Finance Office Form FHA-395, "Request for Certified Statement of Account," in order to obtain the unpaid balance of principal and interest on the borrower's account and the daily rate of accrual of interest.

(b) Upon receipt of Form FHA-335, "Certified Statement of Account," from the Finance Office, the County Supervisor will notify the borrower that he is prepared to accept final payment.

§ 366.4 *Delivery of satisfactions, notes, and other documents.* Usually, the County Supervisor will transmit the final payment to the Finance Office with a request for the return of the promissory note for delivery to the borrower; however, if circumstances require delivery of the note at the time final payment is received by the County Supervisor, he will request the Finance Office to forward the note along with the statement of account on Form FHA-835.

(a) Delivery of documents after notes stamped "paid-in-full" are received from the Finance Office: The Finance Office, upon receipt of Form FHA-144, "Summary of Remittances," covering the remittance which paid the account in full, will forward to the County Office the note stamped with a paid-in-full legend, provided the final payment as received from the borrower was in the form of currency and coin, U. S. Treasury check, cashier's or certified check, bank draft, or money order. If the final payment was in the form of an uncertified check drawn on a personal account, the note will be held in the Finance Office for 15 days after the remittance has been deposited in the Deposit Fund Account, before being forwarded to the County Office. Upon receipt of the note, the County Supervisor will deliver the stamped note(s), any property insurance policies, and the original mortgage to the borrower. The original satisfaction executed in accordance with the State Instruction will be delivered to the borrower for recording if desired.

(b) Delivery of documents at the time final payment is made: If the circumstances require the delivery of the promissory note and the satisfaction of the Farm Ownership, Other Real Estate, or Farm Housing mortgage at the time final payment is made, the County Supervisor will prepare the satisfaction, mark the original note with a paid-in-full legend, and will deliver the original note, the original satisfaction, any insurance policies, and the original mortgage to the borrower only upon receipt of full payment of the unpaid balance of principal and interest, computed as of the date final payment is received, and only when such payment is made in the form of currency and coin, U. S. Treasury Check, cashier's, or certified check, bank draft, or money order.

(c) If state law requires recording or filing of the satisfaction by the mortgagee, two executed copies of the satisfaction will be prepared and the additional copy will be recorded or filed by the County Supervisor with the proper recording official.

§ 366.5 *Property insurance.* The County Supervisor will advise the borrower regarding the manner in which property insurance will be canceled or release of mortgage interest executed.

Dated this 9th day of June 1955.

[SEAL] H. C. SMITH,
Acting Administrator
Farmers Home Administration.

[F. R. Doc. 55-4754; Filed, June 14, 1955;
8:48 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

Subchapter C—Regulations and Standards Under the Farm Products Inspection Act

PART 56—GRADING AND INSPECTION OF SHELL EGGS AND UNITED STATES STANDARDS, GRADES, AND WEIGHT CLASSES FOR SHELL EGGS

SUSPENSION OF EFFECTIVE DATE OF CERTAIN PROVISIONS

The regulations governing the grading and inspection of shell eggs and United States standards, grades and weight classes for shell eggs (7 CFR Part 56) were revised and published in the FEDERAL REGISTER on February 1 and 4, 1955 (20 F. R. 667, 757). Most of the provisions of the revised regulations became effective on March 1, 1955. However, the changes which were made in the weight classes for shell eggs were not to become effective until January 1, 1956. Since the issuance of the revised regulations and their wide distribution to members of the trade and other interested persons, the Department has received from producers, handlers and other interested persons, many additional views and arguments with respect to the adverse effect such changes in the weight classes for shell eggs might have on the industry as a whole. Further, some segments of the industry, who formerly

avored the changes and submitted views in support thereof, subsequently have reconsidered the matter and have submitted additional information opposing such changes.

In view of the additional information submitted by many segments of the industry, further study and consideration of these provisions should be made. Therefore, the dates set forth in §§ 56.218 (c) 56.223 (b) and 56.228 (b) of the aforesaid regulations, on which changes in weight classes were to become effective, are hereby suspended. This action is taken pursuant to authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.).

It is hereby found that it would be impractical, unnecessary, and contrary to the public interest to engage in public rule making procedures with respect to this suspension or to postpone the effective date thereof until thirty (30) days after publication in the FEDERAL REGISTER for the reasons that (1) the changes in the weight classes are not now in effect and will not require any preparation on the part of industry (2) the additional information received indicates that it would be in the public interest to give this matter further study and (3) the industry should be advised of this suspension as soon as possible in order that it may plan for future contractual obligations.

Therefore, good cause exists for making this suspension effective upon its publication in the FEDERAL REGISTER.

(Sec. 205, 60 Stat. 1090; 7 U. S. C. 1624)

Issued this 10th day of June 1955, to become effective upon publication in the FEDERAL REGISTER.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator
Agricultural Marketing Service.

[F. R. Doc. 55-4780; Filed, June 14, 1955;
8:55 a. m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

PART 931—MILK IN CEDAR RAPIDS-IOWA CITY, IOWA MARKETING AREA

ORDER TERMINATING CERTAIN PROVISION OF ORDER, AS AMENDED, REGULATING HANDLING

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) hereinafter referred to as the "act" and of the order, as amended (7 CFR Part 931) regulating the handling of milk in the Cedar Rapids-Iowa City, Iowa marketing area, hereinafter referred to as the "order" it is hereby found and determined that:

a. In § 931.50 (c) (2) of the order the provision "in barrels" as it appears in each of two places does not tend to effectuate the declared policy of the act;

b. Notice of proposed rule making and public procedure thereon in connection with the issuance hereof is impracticable, unnecessary and contrary to the public interest, in that (1) the information on

which this action is based did not become available in sufficient time for such compliance; (2) the issuance of this termination order effective as set forth below is necessary to reflect current marketing conditions and facilitate, promote and maintain the orderly marketing of milk produced for the said marketing area; (3) on April 8, 1955, the Market News Service of the Department of Agriculture stopped reporting Chicago price quotations for spray and roller process nonfat dry milk solids for human consumption in drums and barrels. This was done because too few sales were being made in drums and barrels to report such prices. Most price quotations now relate to sales in bags and this series is being continued by the Market News Service.

It is therefore ordered, That in § 931.50 (c) (2) the provision "in barrels" as it appears in each of two places be and hereby is terminated effective immediately.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Done at Washington, D. C., this 10th day of June 1955.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 55-4776; Filed, June 14, 1955;
8:54 a. m.]

PART 956—MILK IN THE SIOUX FALLS-MITCHELL, SOUTH DAKOTA, MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 1940 ed. 601 et seq.) hereinafter referred to as the "act" and of the order, as amended, regulating the handling of milk in the Sioux Falls-Mitchell, South Dakota, marketing area, it is hereby found and determined that the provisions of § 956.61 (c) and (d) of the order, do no longer tend to effectuate the declared policy of the act.

It is hereby found and determined that notice of proposed rule making and public procedure thereon in connection with the issuance hereof is impracticable, unnecessary and contrary to the public interest, in that (1) the information upon which this action is based did not become available in sufficient time for such compliance; (2) the issuance of this suspension order effective as set forth below is necessary to reflect current marketing conditions and to facilitate, promote and maintain the orderly marketing of milk produced for the said marketing area; and (3) this action will affect only the seasonality of returns to producers and will in no way affect the obligations of handlers subject to the order. The changes caused by this suspension order do not require of persons affected any preparation prior to its effective date.

It is therefore ordered, That the following provisions of the order be and

are hereby suspended: § 956.61 (c) and (d)

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Done at Washington, D. C., this 10th day of June 1955, to be effective June 10, 1955.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 55-4779; Filed, June 14, 1955;
8:55 a. m.]

PART 969—AVOCADOS GROWN IN SOUTH
FLORIDA

ORDER AMENDING ORDER REGULATING
HANDLING

§ 969.0 *Findings and determinations.* The findings and determinations herein-after set forth are supplementary and in addition to the findings and determinations made in connection with the issuance of this order; and all of said previous findings and determinations are hereby ratified and affirmed except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to Public Act No. 10, 73d Congress (May 12, 1933) as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq., 68 Stat. 906, 1047) and the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900; 19 F. R. 57) a public hearing was held at Homestead (Modello), Florida, on February 28, 1955, upon proposed amendments to Marketing Agreement No. 121 and Order No. 69 (7 CFR Part 969; 19 F. R. 3439) regulating the handling of avocados grown in South Florida. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The said order as hereby amended regulates the handling of avocados grown in South Florida in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activities specified in, the amended marketing agreement and order upon which hearings have been held;

(3) The said order as hereby amended prescribes, so far as practicable, such different terms applicable to different parts of the production area, as are necessary to give due recognition to differences in the production and marketing of the avocados covered thereby;

(4) The said order as hereby amended is limited in its application to the smallest regional production area which is practicable, consistently with carrying out the declared policy of the act; and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act; and

(5) All handling of avocados which are grown in the production area is in the current of interstate or foreign commerce, or directly burdens, obstructs, or affects such commerce.

(b) *Additional findings.* It is hereby found and determined on the basis hereinafter indicated that good cause exists for making the provisions of this order effective not later than the date of publication in the FEDERAL REGISTER; and that it would be contrary to the public interest to postpone such effective date until 30 days after publication (60 Stat. 237; 5 U. S. C. 1001 et seq.) The 1955-56 marketing season for avocados will begin shortly after the first of June. To be of maximum benefits during this season, it is necessary that the provisions of these amendments be made effective as soon as possible. One of the amendments extends the production area to two additional counties and it is particularly desirable that this amendment be made effective before avocados start moving in volume from this area. Likewise it is desirable that the provision for regulating containers to be made effective as early as possible in the season so that shippers may be advised of containers in which avocados shall be permitted to be shipped and act accordingly in placing orders for such containers. The provisions of this order are well known to handlers. The public hearing in connection therewith was held at Homestead (Modello), Florida on February 28, 1955, and the recommended decision and the final decision were published in the FEDERAL REGISTER on April 19, 1955 (20 F. R. 2587) and May 13, 1955 (20 F. R. 3259) respectively. Copies of the regulatory provisions of this order were made available to all known interested parties, and compliance with such provisions will not require advance preparation on the part of persons subject thereto which cannot be completed prior to the effective date of regulation pursuant hereto.

(c) *Determinations.* It is hereby determined that:

(1) The agreement amending the marketing agreement regulating the handling of avocados grown in Florida, upon which the aforesaid public hearing was held, has been executed by handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping the avocados covered by this order) who, during the period April 1, 1954, through March 31, 1955, handled not less than 50 percent of the volume of avocados covered by this order;

(2) The issuance of this order amending the aforesaid order, is favored or approved by at least two-thirds of the producers who participated in a referendum on the question of its approval and who, during the determined representative period (April 1, 1954, through March 31, 1955), were engaged, within the production area specified in this order, in the production of avocados for market; such producers having also produced for market at least two-thirds of the volume of avocados represented in such referendum.

It is therefore ordered, That, on and after the effective date hereof, all han-

dling of avocados grown in the production area shall be in conformity to, and in compliance with, the terms and conditions of the aforesaid order as hereby amended as follows:

1. Immediately preceding the closing of the parenthesis at the end of § 969.2 Act insert the following: "68 Stat. 906, 1047"

2. Revise § 969.4 *Production area* to read as follows:

§ 969.4 *Production area.* "Production area" means the counties of Brevard, Orange, Lake, Polk, Hillsborough, and Pinellas in the State of Florida, and all of the counties of that State situated south of such counties.

3. Delete from the first sentence of § 969.10 *Handle* the words "in the continental United States and Canada."

4. Add, after § 969.42 *Accounting* the following new section; preceded by a main heading entitled "Research and Development":

§ 969.45 *Marketing research and development.* The committee, with the approval of the Secretary, may establish or provide for the establishment of marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of avocados. The expense of such projects shall be paid from funds collected pursuant to § 969.41.

5. Delete the word "and" appearing at the end of subparagraph (1) of paragraph (a) of § 969.51 *Issuance of regulations* and insert the word "and" at the end of subparagraph (2) of such section after changing the period to a semicolon.

6. Add, after subparagraph (2) of paragraph (a) of § 969.51 *Issuance of regulations* the following new subparagraph:

(3) Fix the size, capacity, weight, dimensions, or pack of the container or containers which may be used in the packaging, and the transportation, sale, shipment or other handling of avocados.

7. Delete paragraph (c) from § 969.55 *Avocados not subject to regulation* and redesignate paragraphs (d) and (e) as paragraphs (c) and (d), respectively.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Done at Washington, D. C., this 10th day of June 1955, to become effective upon publication in the FEDERAL REGISTER.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 55-4777; Filed, June 14, 1955;
8:54 a. m.]

[Avocado Order 8]

PART 969—AVOCADOS GROWN IN SOUTH
FLORIDA

MATURITY REGULATION

§ 969.308 *Avocado Order 8—(a) Findings.* (1) Pursuant to the marketing agreement and Order No. 69 (Part 969; 19 F. R. 3439) regulating the handling of avocados grown in South Florida, effective under the applicable provisions

of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and upon the basis of the recommendations of the Avocado Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of avocados, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this regulation until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than June 16, 1955. A reasonable determination as to the time of maturity of avocados must await the development of the crop thereof, and adequate information thereon was not available to the Avocado Administrative Committee until June 7, 1955; determinations as to the time of maturity of the varieties of avocados covered by this section were made at the meeting of said committee on June 7, 1955, after consideration of all available information relative to the time of bloom and growing conditions for such avocados, at which time the recommendations and supporting information for maturity regulation was submitted to the Department; such meeting was held to consider recommendation for such regulation after giving due notice thereof, and interested parties were afforded an opportunity to submit their views at this meeting; the provisions of this section are identical with the aforesaid recommendations of the committee and information concerning such provisions has been disseminated among the handlers of avocados; and compliance with the provisions of this section will not require of handlers any preparation thereof which cannot be completed by the effective time hereof.

(b) *Order* (1) After the effective time of this section no handler shall handle any variety of avocados listed in column 1 of the following table prior to 12:01 a. m., e. s. t., of the date listed for the respective variety in column 2 of such table;

(2) During the period from 12:01 a. m., e. s. t., of the date listed for the respective variety in column 2 of such table and 12:01 a. m., e. s. t., of the date listed for the respective variety in column 4 of such table, no handler shall handle any avocados unless the individual fruit weighs at least the ounces specified for the respective variety in column 3 of such table;

(3) During the period from 12:01 a. m., e. s. t., of the date listed for the respective variety in column 4 of such table and 12:01 a. m., e. s. t., of the date listed for the respective variety in column 6 of such table, no handler shall handle any avocados unless the individual fruit weighs at least the ounces specified for the respective variety in column 5 of such table;

(4) During the period from 12:01 a. m., e. s. t., of the date listed for the respective variety in column 6 of such table and 12:01 a. m., e. s. t., of the date listed for the respective variety in column 8 of such table, no handler shall handle any avocados unless the individual fruit weighs at least the ounces specified for the respective variety in column 7 of such table;

(5) Notwithstanding the provisions of subparagraphs (1) through (4) of this paragraph regarding the minimum weight for individual fruit, up to 10 percent, by count, of the individual fruit contained in each lot may weigh not to exceed two ounces less than the applicable specified weight for the particular variety in column 3, 5, or 7 of such table, such tolerance to be on a lot basis but not to exceed double such tolerance percentage shall be permitted for an individual container in a lot, and in addition, when minimum diameters are specified for a variety in such table, any avocados of that variety in a lot may weigh not to exceed two ounces less than the applicable weight specified for such variety in column 3, 5, or 7 of such table provided they measure at least the applicable diameter so specified for that variety;

Variety	Date	Minimum weight or diameter	Date	Minimum weight or diameter	Date	Minimum weight or diameter	Date
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Fuchs.....	June 20, 1955	14 oz.....	July 4, 1955	12 oz.....	July 18, 1955	7 oz.....	Aug. 1, 1955
Follock.....	July 4, 1955	16 oz.....	July 18, 1955	14 oz.....	Aug. 1, 1955	9 oz.....	Aug. 22, 1955
Simmonds.....	July 4, 1955	16 oz.....	July 18, 1955	14 oz.....	Aug. 1, 1955	9 oz.....	Aug. 22, 1955
Trapp.....	July 25, 1955	14 oz.....	Aug. 8, 1955	12 oz.....	Aug. 22, 1955	8 oz.....	Sept. 12, 1955
		3 3/8 in.		3 3/8 in.		3 in.	
Waldin.....	Aug. 1, 1955	16 oz.....	Aug. 15, 1955	14 oz.....	Aug. 29, 1955	8 oz.....	Sept. 17, 1955
		3 3/8 in.		3 3/8 in.		3 in.	
Tonnago.....	Aug. 22, 1955	14 oz.....	Aug. 29, 1955	12 oz.....	Sept. 5, 1955	8 oz.....	Sept. 26, 1955
Booth 8.....	Sept. 10, 1955	14 oz.....	Oct. 3, 1955	12 oz.....	Oct. 17, 1955	7 oz.....	Nov. 7, 1955
		3 3/8 in.		3 3/8 in.		2 7/8 in.	
Lula.....	Oct. 3, 1955	20 oz.....	Oct. 17, 1955	16 oz.....	Oct. 31, 1955	14 oz.....	Nov. 14, 1955
		3 3/8 in.		3 3/8 in.		3 3/8 in.	
Booth 7.....	Oct. 10, 1955	16 oz.....	Oct. 24, 1955	14 oz.....	Nov. 7, 1955	8 oz.....	Nov. 21, 1955
		3 3/8 in.		3 3/8 in.		3 in.	
Hickson.....	Oct. 17, 1955	14 oz.....	Oct. 31, 1955	10 oz.....	Nov. 14, 1955	7 oz.....	Dec. 5, 1955
		3 3/8 in.		3 3/8 in.		2 7/8 in.	
Collinson.....	Oct. 17, 1955	16 oz.....	Oct. 31, 1955	14 oz.....	Nov. 14, 1955	8 oz.....	Dec. 5, 1955
Hall.....	Oct. 24, 1955	18 oz.....	Nov. 7, 1955	16 oz.....	Nov. 21, 1955	9 oz.....	Dec. 10, 1955
		3 3/8 in.		3 3/8 in.		3 in.	
Herman.....	Oct. 31, 1955	16 oz.....	Nov. 14, 1955	14 oz.....	Nov. 28, 1955	8 oz.....	Dec. 10, 1955
Winslowson.....	Nov. 7, 1955	16 oz.....	Nov. 21, 1955	14 oz.....	Dec. 5, 1955	8 oz.....	Dec. 20, 1955
Booth 3.....	Nov. 14, 1955	16 oz.....	Nov. 28, 1955	14 oz.....	Dec. 12, 1955	8 oz.....	Dec. 20, 1955
		3 3/8 in.		3 3/8 in.		3 in.	
Booth 1.....	Nov. 21, 1955	16 oz.....	Dec. 5, 1955	14 oz.....	Dec. 19, 1955	8 oz.....	Jan. 2, 1956
		3 3/8 in.		3 3/8 in.		3 3/8 in.	
Monroe.....	Nov. 21, 1955	24 oz.....	Dec. 5, 1955	20 oz.....	Dec. 19, 1955	14 oz.....	Jan. 2, 1956
		4 in.		3 3/8 in.		3 3/8 in.	
Choquette.....	Nov. 21, 1955	24 oz.....	Dec. 5, 1955	20 oz.....	Dec. 19, 1955	14 oz.....	Jan. 2, 1956
		4 in.		3 3/8 in.		3 3/8 in.	
Taylor.....	Nov. 21, 1955	12 oz.....	Dec. 5, 1955	10 oz.....	Dec. 19, 1955	7 oz.....	Jan. 2, 1956
		3 3/8 in.		3 3/8 in.		2 7/8 in.	
Linda.....	Dec. 5, 1955	16 oz.....	Dec. 19, 1955	14 oz.....	Jan. 2, 1956	9 oz.....	Jan. 10, 1956
Wagner.....	Dec. 19, 1955	12 oz.....	Jan. 2, 1956	10 oz.....	Jan. 16, 1956	6 oz.....	Jan. 30, 1956
		3 3/8 in.		3 3/8 in.		2 7/8 in.	
Neshitt.....	June 27, 1955	16 oz.....	July 11, 1955	14 oz.....	July 25, 1955	8 oz.....	Aug. 16, 1955
Nadir.....	June 27, 1955	12 oz.....	July 11, 1955	10 oz.....	July 25, 1955	7 oz.....	Aug. 16, 1955
Hardee.....	July 4, 1955	16 oz.....	July 18, 1955	14 oz.....	Aug. 1, 1955	9 oz.....	Aug. 22, 1955
Calusa.....	July 4, 1955	16 oz.....	July 18, 1955	14 oz.....	Aug. 1, 1955	9 oz.....	Aug. 22, 1955
Peterson.....	Aug. 8, 1955	12 oz.....	Aug. 15, 1955	10 oz.....	Aug. 22, 1955	7 oz.....	Sept. 5, 1955
Edmunds.....	Aug. 15, 1955	16 oz.....	Aug. 29, 1955	14 oz.....	Sept. 12, 1955	8 oz.....	Oct. 3, 1955
Pinelli.....	Aug. 22, 1955	18 oz.....	Aug. 29, 1955	16 oz.....	Sept. 5, 1955	10 oz.....	Oct. 19, 1955
Farchild.....	Sept. 5, 1955	16 oz.....	Sept. 12, 1955	14 oz.....	Sept. 19, 1955	8 oz.....	Sept. 20, 1955
		3 3/8 in.		3 3/8 in.		3 in.	
Nirody.....	Sept. 19, 1955	18 oz.....	Sept. 26, 1955	16 oz.....	Oct. 10, 1955	10 oz.....	Nov. 7, 1955
		3 3/8 in.		3 3/8 in.		3 3/8 in.	
Simpson.....	Sept. 26, 1955	16 oz.....	Oct. 3, 1955	14 oz.....	Oct. 17, 1955	8 oz.....	Nov. 7, 1955
Vaca.....	Oct. 3, 1955	16 oz.....	Oct. 17, 1955	14 oz.....	Oct. 31, 1955	8 oz.....	Nov. 21, 1955
		3 3/8 in.		3 3/8 in.		3 in.	
Sherman.....	Oct. 3, 1955	16 oz.....	Oct. 17, 1955	14 oz.....	Oct. 31, 1955	8 oz.....	Nov. 21, 1955
Black Prince.....	Oct. 3, 1955	16 oz.....	Oct. 17, 1955	14 oz.....	Oct. 31, 1955	8 oz.....	Nov. 21, 1955
Collinred.....	Oct. 10, 1955	16 oz.....	Oct. 24, 1955	14 oz.....	Nov. 7, 1955	8 oz.....	Nov. 21, 1955
Pumpkin.....	Oct. 10, 1955	32 oz.....	Nov. 21, 1955	14 oz.....	Nov. 14, 1955	8 oz.....	Dec. 12, 1955
Booth 5.....	Oct. 17, 1955	16 oz.....	Oct. 31, 1955	14 oz.....	Nov. 14, 1955	8 oz.....	Dec. 12, 1955
Blair.....	Oct. 17, 1955	16 oz.....	Oct. 31, 1955	14 oz.....	Nov. 14, 1955	8 oz.....	Dec. 12, 1955
Nelson.....	Oct. 24, 1955	16 oz.....	Nov. 7, 1955	14 oz.....	Nov. 21, 1955	8 oz.....	Dec. 19, 1955
		3 3/8 in.		3 3/8 in.		3 in.	
Rue.....	Oct. 24, 1955	20 oz.....	Nov. 7, 1955	16 oz.....	Nov. 21, 1955	12 oz.....	Dec. 19, 1955
Avon.....	Oct. 10, 1955	12 oz.....	Oct. 24, 1955	10 oz.....	Nov. 7, 1955	7 oz.....	Nov. 21, 1955
Booth 10.....	Oct. 31, 1955	16 oz.....	Nov. 14, 1955	14 oz.....	Nov. 28, 1955	8 oz.....	Dec. 20, 1955
Booth 11.....	Oct. 31, 1955	16 oz.....	Nov. 14, 1955	14 oz.....	Nov. 28, 1955	8 oz.....	Dec. 20, 1955
Yon.....	Oct. 31, 1955	28 oz.....	Dec. 26, 1955	14 oz.....	Dec. 5, 1955	8 oz.....	Dec. 20, 1955
Ajax.....	Nov. 7, 1955	16 oz.....	Nov. 21, 1955	14 oz.....	Dec. 5, 1955	8 oz.....	Dec. 20, 1955
Booth 7-B.....	Nov. 7, 1955	16 oz.....	Nov. 21, 1955	14 oz.....	Dec. 5, 1955	8 oz.....	Dec. 20, 1955
Lunedin.....	Nov. 14, 1955	16 oz.....	Nov. 28, 1955	14 oz.....	Dec. 12, 1955	8 oz.....	Dec. 20, 1955
		3 3/8 in.		3 3/8 in.		3 in.	
Blakeman.....	Nov. 21, 1955	14 oz.....	Dec. 5, 1955	12 oz.....	Dec. 19, 1955	8 oz.....	Jan. 2, 1956
Byars #1.....	Dec. 5, 1955	16 oz.....	Dec. 19, 1955	14 oz.....	Jan. 2, 1956	8 oz.....	Jan. 16, 1956
Nabal.....	Dec. 12, 1955	14 oz.....	Dec. 26, 1955	12 oz.....	Jan. 9, 1956	7 oz.....	Jan. 23, 1956
		3 3/8 in.		3 3/8 in.		3 in.	
Eagle Rock.....	Jan. 2, 1956	16 oz.....	Jan. 16, 1956	14 oz.....	Jan. 30, 1956	12 oz.....	Feb. 13, 1956
Colla.....	Jan. 16, 1956	14 oz.....	Jan. 30, 1956	12 oz.....	Feb. 13, 1956	10 oz.....	Feb. 27, 1956
Schmidt.....	Jan. 30, 1956	16 oz.....	Feb. 13, 1956	14 oz.....	Feb. 27, 1956	12 oz.....	Mar. 13, 1956
McDonald.....	Feb. 13, 1956	16 oz.....	Feb. 27, 1956	14 oz.....	Mar. 13, 1956	12 oz.....	Mar. 27, 1956
Itzamma.....	Feb. 27, 1956	16 oz.....	Mar. 13, 1956	14 oz.....	Mar. 27, 1956	12 oz.....	Apr. 10, 1956

(6) During the period from 12:01 a. m., e. s. t., November 14, 1955, and 12:01 a. m., e. s. t., December 5, 1955, no handler shall handle any Lula variety of avocados unless the individual fruit weighs at least nine ounces: *Provided*, That (i) up to 10 percent, by count, of the individual fruit contained in each lot may weigh less than nine ounces but not less than seven ounces, but not more than double such tolerance percentage shall be permitted for any individual container in such lot; and (ii) the remainder of the avocados in such lot may weigh less than nine ounces but not less than seven ounces if such avocados also measure at least three inches in diameter;

(7) The provisions of paragraph (b) (2) and (3) of § 969.306 (Avocado Order 6; 20 F. R. 3427) shall not apply to the varieties of avocados named in the foregoing table; and

(8) As used in this section, the term "diameter" means the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit.

(c) *Effective time.* The provisions of this section shall become effective at 12:01 a. m., e. s. t., June 16, 1955.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: June 13, 1955.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable
Division, Agricultural Market-
ing Service.

[F. R. Doc. 55-4811; Filed, June 14, 1955;
8:57 a. m.]

PART 974—MILK IN THE COLUMBUS, OHIO, MARKETING AREA

ORDER TERMINATING CERTAIN PROVISIONS

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) hereinafter referred to as the "act" and of the order, as amended (7 CFR Part 974) regulating the handling of milk in the Columbus, Ohio, marketing area, hereinafter referred to as the "order" it is hereby found and determined that:

a. In §§ 974.50 (a) (2) and 974.54 (a) of the order the provision "in barrels" does not tend to effectuate the declared policy of the act;

b. Notice of proposed rule making and public procedure thereon in connection with the issuance hereof is impracticable, unnecessary and contrary to the public interest, in that (1) the information on which this action is based did not become available in sufficient time for such compliance; (2) the issuance of this termination order effective as set forth below is necessary to reflect current marketing conditions and facilitate, promote and maintain the orderly marketing of milk produced for the said marketing area; (3) on April 8, 1955, the Market News Service of the Department of Agriculture stopped reporting Chicago price quotations for spray and roller process nonfat dry milk solids for human

consumption in drums and barrels. This was done because too few sales were being made in drums and barrels to report such prices. Most price quotations now relate to sales in bags and this series is being continued by the Market News Service.

It is therefore ordered, That in §§ 974.50 (b) (2) and 974.54 (a) the provision "in barrels" be and hereby is terminated effective immediately.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Done at Washington, D. C., this 10th day of June 1955.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 55-4778; Filed, June 14, 1955;
8:54 a. m.]

PART 1001—LIMES GROWN IN FLORIDA

ORDER REGULATING HANDLING

Sec. 1001.0 Findings and determinations.

DEFINITIONS

1001.1 Secretary.
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1001.3 Person.
1001.4 Production area.
1001.5 Limes.
1001.6 Fiscal year.
1001.7 Committee.
1001.8 Grower.
1001.9 Handler.
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ADMINISTRATIVE BODY

1001.20 Establishment and membership.
1001.21 Term of office.
1001.22 Nomination.
1001.23 Selection.
1001.24 Failure to nominate.
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1001.30 Procedure.
1001.31 Expenses and compensation.
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EXPENSES AND ASSESSMENTS

1001.40 Expenses.
1001.41 Assessments.
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RESEARCH

1001.45 Marketing research and development.

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1001.50 Marketing policy.
1001.51 Recommendations for regulation.
1001.52 Issuance of regulations.
1001.53 Modification, suspension, or termination of regulations.
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MISCELLANEOUS PROVISIONS

1001.61 Compliance.
1001.62 Right of Secretary.
1001.63 Effective time.
1001.64 Termination.
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1001.66 Effect of termination or amendment.
1001.67 Duration of immunities.
1001.68 Agents.
1001.69 Derogation.
1001.70 Personal liability.
1001.71 Separability.

AUTHORITY: §§ 1001.0 to 1001.71 issued under sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c.

§ 1001.0 *Findings and determinations*—(a) *Findings upon the basis of the hearing record.* Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq., 68 Stat. 906, 1047) and the applicable rules of practice and procedure, as amended, effective thereunder (7 CFR Part 900; 19 F. R. 57) a public hearing was held at Homestead (Modello) Florida, from March 1 to March 3, 1955, both dates inclusive, upon a proposed marketing agreement and a proposed marketing order regulating the handling of limes grown in Florida. Upon the basis of the evidence introduced at such hearing, and the record thereof, it is found that:

(1) The said order, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The said order regulates the handling of limes grown in the designated production area in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activities specified in, the proposed marketing agreement and order upon which a hearing has been held;

(3) The said order is limited in its application to the smallest regional production area that is practicable, consistently with carrying out the declared policy of the act, and the issuance of several orders applicable to subdivisions of such production area would not effectively carry out the declared policy of the act;

(4) There are no differences in the production and marketing of limes grown in the production area covered by the said order that make necessary different terms and provisions applicable to different parts of such area; and

(5) All handling of limes grown in the production area, as defined herein, is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

(b) *Additional findings.* It is hereby found and determined on the basis hereinafter indicated that good cause exists for making the provisions of this part effective not later than the date of publication in the FEDERAL REGISTER; and that it would be contrary to the public interest to postpone such effective date until 30 days after publication (60 Stat. 237; 5 U. S. C. 1001 et seq.) As soon as practical after such effective time, it will be necessary to establish the Florida Lime Administrative Committee, the agency charged with the administration of this program, and for the Committee and the Secretary to initiate various actions of both organizational and regulatory nature, including the formulation and promulgation of rules and regulations under the program, which should

be completed as soon as practicable after the beginning of the harvesting and marketing season. Volume shipments of Florida limes normally begin during June. The time during which such actions will be concluded should be such that handlers will receive such notice thereof as will enable them reasonably and adequately to prepare for operations under the program. The provisions of the order are well known to the handlers of limes, since the public hearing in connection with the entire order was concluded March 3, 1955, and the recommended decision and final decision was published in the FEDERAL REGISTER on April 19, 1955 (20 F. R. 2590, 2893) and May 13, 1955 (20 F. R. 3261), respectively. Copies of the regulatory provisions of this part were made available to all known interested parties, and compliance with such provisions will not require advance preparation on the part of persons subject thereto which cannot be completed prior to the effective date of regulation pursuant hereto.

(c) *Determinations.* It is hereby determined that:

(1) The marketing agreement regulating the handling of limes grown in Florida, upon which the aforesaid public hearing was held, has been executed by handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping the limes covered by this order) who, during the period April 1, 1954, through March 31, 1955, handled not less than 50 percent of the volume of limes covered by this order;

(2) The issuance of this order is favored or approved by at least two-thirds of the producers who participated in a referendum on the question of its approval and who, during the determined representative period (April 1, 1954, through March 31, 1955) were engaged, within the production area specified in this order, in the production of limes for market; such producers having also produced for market at least two-thirds of the volume of limes represented in such referendum.

It is therefore ordered, That, on and after the effective date hereof, the handling of limes grown in the said production area shall be in conformity to, and in compliance with, the terms and conditions of the aforesaid order; and the terms and conditions of said order are as follows:

DEFINITIONS

§ 1001.1 *Secretary.* "Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

§ 1001.2 *Act.* "Act" means Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq., 68 Stat. 906, 1047)

§ 1001.3 *Person.* "Person" means an individual, partnership, corporation, association or any other business unit.

§ 1001.4 *Production area.* "Production area" means all of the State of Florida, except the area west of the Suwannee River.

§ 1001.5 *Limes.* "Limes" means all varieties and clones of acid limes, grown in the production area, classified botanically as *Citrus Aurantifolia* (Christm.) Swingle, and includes the group known as true limes (also known as Mexican, West Indian, and Key limes and by other synonyms) and the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties)

§ 1001.6 *Fiscal year.* "Fiscal year" means the twelve-month period ending March 31 of each year.

§ 1001.7 *Committee.* "Committee" means the Florida Lime Administrative Committee established pursuant to § 1001.20.

§ 1001.8 *Grower.* "Grower" is synonymous with producer and means any person who produces limes for market and who has a proprietary interest therein.

§ 1001.9 *Handler.* "Handler" is synonymous with shipper and means any person (except a common or contract carrier transporting limes owned by another person) who handles limes or causes limes to be handled.

§ 1001.10 *Handle.* "Handle" means to sell, consign, deliver, or transport limes within the production area or between the production area and any point outside thereof: *Provided,* That such term shall not include: (a) The sale or delivery of limes to a handler, registered as such with the committee in accordance with such rules and regulations as it may prescribe with the approval of the Secretary, who has facilities within the production area for preparing limes for market; (b) the delivery of limes to such a handler solely for the purpose of having such limes prepared for market; or (c) the transportation of limes by a handler, so registered with the committee, from the grove to his packing facilities within the production area for the purpose of having such limes prepared for market. In the event a grower sells his limes to a handler who is not so registered with the committee, such grower shall be the first handler of such limes.

§ 1001.11 *District.* "District" means the applicable one of the following described subdivisions of the production area, or such other subdivisions as may be prescribed pursuant to § 1001.29 (n)

(a) "District 1" shall include Dade and Monroe counties.

(b) "District 2" shall include all of the production area except Dade and Monroe counties.

ADMINISTRATIVE BODY

§ 1001.20 *Establishment and membership.* There is hereby established a Florida Lime Administrative Committee consisting of nine members, each of whom shall have an alternate who shall have the same qualifications as the member for whom he is an alternate. Five of the members and their respective al-

ternates shall be growers who shall not be handlers or employees of handlers. Four of the members and their respective alternates shall be handlers or employees of handlers. The five members of the committee who shall be growers and who shall not be handlers, or employees of handlers, are hereinafter referred to as "grower" members of the committee; and the four members who shall be handlers, or employees of handlers, are hereinafter referred to as "handler" members of the committee. Four of the five grower members shall be producers of limes in District 1, and one grower member shall be a producer of limes in District 2. Three of the four handler members shall be handlers, or employees of handlers, of limes in District 1, and one handler member shall be a handler, or an employee of a handler, of limes in District 2.

§ 1001.21 *Term of office.* The term of office of each member and alternate member of the committee shall begin April 1, and shall terminate March 31 of the following year. Members and alternate members shall serve in such capacities for the portion of the term of office for which they are selected and qualify and until their respective successors are selected and have qualified. The consecutive terms of office of members shall be limited to three terms.

§ 1001.22 *Nomination.*—(a) *Initial members.* Nominations for each of the five initial grower members and four initial handler members of the committee, together with nominations for the initial alternate members for each position, may be submitted to the Secretary by individual growers and handlers. Such nominations may be made by means of group meetings of the growers and handlers concerned in each district. Such nominations, if made, shall be filed with the Secretary no later than the effective date hereof. In the event nominations for initial members and alternate members of the committee are not filed pursuant to, and within the time specified in, this section, the Secretary may select such initial members and alternate members without regard to nominations, but selections shall be on the basis of the representation provided for in § 1001.20.

(b) *Successor members.* (1) The committee shall hold or cause to be held, not later than February 15 of each year, a meeting or meetings of growers and handlers in each district for the purpose of designating nominees for successor members and alternate members of the committee. At each such meeting a chairman and a secretary shall be selected by the growers and handlers eligible to participate therein. The chairman shall announce at the meeting the number of votes cast for each person nominated for member or alternate member and shall submit promptly to the committee a complete report concerning such meeting. The committee shall, in turn, promptly submit a copy of each such report to the Secretary.

(2) Only growers who are present at such nomination meetings, or who reside outside the production area and are rep-

resented at such nomination meetings by duly authorized agents, shall participate in the nomination and election of nominees for grower members and their alternates. Each grower shall be entitled to cast only one vote for each nominee to be elected in the district in which he produces limes. No grower shall participate in the election of nominees in more than one district in any one fiscal year.

(3) Only handlers who are present at such nomination meetings, or represented at such meetings by duly authorized agents, shall participate in the nomination and election of nominees for handler members and their alternates. Each handler shall be entitled to cast only one vote for each nominee to be elected in the district in which he handles limes, which vote shall be weighted by the volume of limes shipped by such handler during the then current fiscal year. No handler shall participate in the election of nominees in more than one district in any one fiscal year.

§ 1001.23 *Selection.* From the nominations made pursuant to § 1001.22, or from other qualified persons, the Secretary shall select the five grower members of the committee, the four handler members of the committee, and an alternate for each such member.

§ 1001.24 *Failure to nominate.* If nominations are not made within the time and in the manner prescribed in § 1001.22, the Secretary may, without regard to nominations, select the members and alternate members of the committee on the basis of the representation provided for in § 1001.20.

§ 1001.25 *Acceptance.* Any person selected by the Secretary as a member or as an alternate member of the committee shall qualify by filing a written acceptance with the Secretary within ten days after being notified of such selection.

§ 1001.26 *Vacancies.* To fill any vacancy occasioned by the failure of any person selected as a member or as an alternate member of the committee to qualify, or in the event of the death, removal, resignation, or disqualification of any member or alternate member of the committee, a successor for the unexpired term of such member or alternate member of the committee shall be nominated and selected in the manner specified in §§ 1001.22 and 1001.23. If the names of nominees to fill any such vacancy are not made available to the Secretary within fifteen days after such vacancy occurs, the Secretary may fill such vacancy without regard to nominations, which selection shall be made on the basis of representation provided for in § 1001.20.

§ 1001.27 *Alternate members.* An alternate member of the committee, during the absence or at the request of the member for whom he is an alternate, shall act in the place and stead of such member. In the event of the death, removal, resignation, or disqualification of a member, his alternate shall act for him until a successor for such member is selected and has qualified.

§ 1001.28 *Powers.* The committee shall have the following powers:

- (a) To administer the provisions of this part in accordance with its terms;
- (b) To receive, investigate, and report to the Secretary complaints of violations of the provisions of this part;
- (c) To make and adopt rules and regulations to effectuate the terms and provisions of this part; and
- (d) To recommend to the Secretary amendments to this part.

§ 1001.29 *Duties.* The committee shall have, among others, the following duties:

- (a) To select a chairman and such other officers as may be necessary, and to define the duties of such officers;
- (b) To appoint such employees, agents, and representatives as it may deem necessary, and to determine the compensation and to define the duties of each;
- (c) To submit to the Secretary as soon as practicable after the beginning of each fiscal year a budget for such fiscal year, including a report in explanation of the items appearing therein and a recommendation as to the rate of assessment for such fiscal year;
- (d) To keep minutes, books, and records which will reflect all of the acts and transactions of the committee and which shall be subject to examination by the Secretary;
- (e) To prepare periodic statements of the financial operations of the committee and to make copies of each such statement available to growers and handlers for examination at the office of the committee;
- (f) To cause its books to be audited by a certified public accountant at least once each fiscal year, and at such other times as the Secretary may request;
- (g) To act as intermediary between the Secretary and any grower or handler;
- (h) To investigate and assemble data on the growing, handling, and marketing conditions with respect to limes;
- (i) To submit to the Secretary such available information as he may request;
- (j) To notify, as provided in this part, producers and handlers of all meetings of the committee to consider recommendations for regulation;
- (k) To give the Secretary the same notice of meetings of the committee as is given to its members;
- (l) To consult with such representatives of growers or groups of growers as may be deemed necessary and to pay the travel expenses incurred by such representatives in attending committee meetings at the request of the committee; *Provided, That* the committee shall not pay the travel expenses of more than three such representatives in connection with any one meeting of the committee;
- (m) To investigate compliance with the provisions of this part; and
- (n) With the approval of the Secretary, to redefine the districts into which the production area is divided, and to reapportion the representation of any district on the committee; *Provided, That* any such changes shall reflect, insofar as practicable, shifts in lime produc-

tion within the districts and the production area.

§ 1001.30 *Procedure.* (a) Six members of the committee, or alternates acting for members, shall constitute a quorum and any action of the committee shall require at least five concurring votes: *Provided, That* at least one handler member shall approve the action.

(b) The committee may vote by telegraph, telephone, or other means of communication, and any votes so cast shall be confirmed promptly in writing: *Provided, That* if an assembled meeting is held, all votes shall be cast in person.

§ 1001.31 *Expenses and compensation.* The members of the committee, and their respective alternates when acting as members, shall be reimbursed for expenses necessarily incurred by them in the performance of their duties under this part and shall also receive compensation, as determined by the committee, which shall not exceed \$10.00 per day or portion thereof spent in performing such duties.

§ 1001.32 *Annual report.* The committee shall, prior to March 31 of each fiscal year, prepare and mail an annual report to the Secretary and to each handler and grower who requests a copy of the report. This annual report shall contain at least: (a) A complete review of the regulatory operations during the fiscal year; (b) an appraisal of the effect of such regulatory operations upon the lime industry; and (c) any recommendations for changes in the program.

EXPENSES AND ASSESSMENTS

§ 1001.40 *Expenses.* The committee is authorized to incur such expenses as the Secretary finds are reasonable and may be necessary to enable the committee to exercise its powers and perform its duties in accordance with the provisions of this part during each fiscal year. The funds to cover such expenses shall be acquired by the levying of assessments as provided for in § 1001.41.

§ 1001.41 *Assessments.* (a) Each person who first handles limes shall, with respect to the limes so handled by him, pay to the committee upon demand such person's pro rata share of the expenses which the Secretary finds will be incurred by the committee during each fiscal year. Each such person's share of such expenses shall be equal to the ratio between the total quantity of limes handled by him as the first handler thereof during the applicable fiscal year and the total quantity of limes so handled by all persons during the same fiscal year. The payment of assessments for the maintenance and functioning of the committee may be required under this part throughout the period it is in effect irrespective of whether particular provisions thereof are suspended or become inoperative.

(b) The Secretary shall fix the rate of assessment to be paid by each such person. At any time during or after the fiscal year, the Secretary may increase the rate of assessment in order to secure sufficient funds to cover any finding by the Secretary relative to the expense which may be incurred: *Provided, That,*

in no case, shall the rate of assessment exceed 10 cents per bushel, or equivalent quantity, of limes. Such increase shall be applied to all limes handled during the applicable fiscal year. In order to provide funds for the administration of the provisions of this part, the committee may accept the payment of assessments in advance, and may borrow money in any amount not to exceed 10 percent of the estimated expenses set forth in its budget for the then current fiscal year.

§ 1001.42 *Accounting.* (a) If, at the end of a fiscal year, the assessments collected are in excess of the expenses incurred, each person entitled to a proportionate refund of the excess assessment shall be credited with such refund against the operations of the following fiscal year. Any handler may demand payment of such a refund, and the refund shall be paid to him: *Provided*, That any sum paid by a person in excess of his pro rata share of the expenses during any fiscal year may be applied by the committee at the end of such fiscal year to any outstanding obligations due the committee from such person.

(b) All funds received by the committee pursuant to the provisions of this part shall be used solely for the purposes specified in this part, and shall be accounted for in the manner provided in this part. The Secretary may, at any time, require the committee and its members to account for all receipts and disbursements.

RESEARCH

§ 1001.45 *Marketing research and development.* The committee, with the approval of the Secretary, may establish or provide for the establishment of marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of limes. The expense of such projects shall be paid from funds collected pursuant to § 1001.41.

REGULATIONS

§ 1001.50 *Marketing policy.* Each season prior to making any recommendations pursuant to § 1001.51, the committee shall submit to the Secretary a report setting forth its marketing policy for the ensuing season. Such marketing policy report shall contain information relative to (a) the estimated total production of limes within the production area, (b) the expected general quality and size of limes in the production area and in other areas, including foreign competing areas; (c) the expected demand conditions for limes in different market outlets; (d) the expected shipments of limes produced in the production area and in other areas, including foreign competing areas; (e) supplies of competing commodities; (f) trend and level of consumer income; (g) other factors having a bearing on the marketing of limes; and (h) the type of regulations expected to be recommended during the season. In the event it becomes advisable, because of changes in the supply and demand situation for limes, to modify substantially such marketing

policy, the committee shall submit to the Secretary a revised marketing policy report setting forth the information prescribed in this section. The committee shall publicly announce the contents of each marketing policy report and copies thereof shall be maintained in the offices of the committee where they shall be available for examination by growers and handlers.

§ 1001.51 *Recommendations for regulation.* (a) Whenever the committee deems it advisable to regulate the handling of any variety or varieties of limes in the manner provided in § 1001.52, it shall so recommend to the Secretary.

(b) In arriving at its recommendations for regulation pursuant to paragraph (a) of this section, the committee shall give consideration to current information with respect to the factors affecting the supply and demand for limes during the period or periods when it is proposed that such regulation should be made effective. With each such recommendation for regulation, the committee shall submit to the Secretary the data and information on, which such recommendation is predicated, and such other available information as the Secretary may request.

(c) All meetings of the committee held for the purpose of formulating recommendations for regulations shall be open to growers and handlers. The committee shall give notice of such meetings to growers and handlers by mailing such notice to each grower and handler who has filed his address with the committee and requested such notice.

§ 1001.52 *Issuance of regulations.* (a) The Secretary shall regulate, in the manner specified in this section, the handling of limes whenever he finds, from the recommendations and information submitted by the committee or from other available information, that such regulations will tend to effectuate the declared policy of the act. Such regulations may—

(1) Prohibit, during any specified period or periods, the handling of any variety or varieties of limes which do not meet such grade, size, and quality (including internal quality and juice content) standards as shall be prescribed;

(2) Prescribe minimum standards of quality for any variety or varieties of limes and limit the handling thereof to those meeting such minimum standards; and

(3) Fix the size, capacity, weight, dimensions, or pack of the container or containers which may be used in the packaging, and the transportation, sale, shipment, or other handling of limes.

(b) The committee shall be informed immediately of any such regulations issued by the Secretary and the committee shall promptly give notice thereof to growers and handlers.

§ 1001.53 *Modification, suspension, or termination of regulations.* (a) In the event the committee at any time finds that, by reason of changed conditions, any regulations issued pursuant to § 1001.52 should be modified, suspended,

or terminated, it shall so recommend to the Secretary.

(b) Whenever the Secretary finds, from the recommendations and information submitted by the committee or from other available information, that a regulation should be modified, suspended, or terminated with respect to any or all shipments of limes in order to effectuate the declared policy of the act, he shall modify, suspend, or terminate such regulation. If the Secretary finds that a regulation obstructs or does not tend to effectuate the declared policy of the act, he shall suspend or terminate such regulation. On the same basis and in like manner the Secretary may terminate any such modification or suspension.

§ 1001.54 *Exemption certificate.* In the event the handling of limes is regulated pursuant to § 1001.52, the committee shall issue one or more exemption certificates to any person who furnishes evidence satisfactory to the committee that, by reason of conditions beyond his control, he will be prevented, because of such regulation, from having as large a proportion of a particular variety of his limes handled as the average proportion of all such limes which may be handled. Such exemption certificates shall authorize the person to whom the certificates are issued to handle, or have handled, a percentage of his crop of the particular variety of limes equal to the percentage determined as aforesaid. The committee shall adopt, with the approval of the Secretary, procedural rules by which such exemption certificates will be issued and the limes covered thereunder may be handled. Exemption certificates shall be transferred to the handler of the limes covered by such certificates at the time the limes are delivered to such handler.

§ 1001.55 *Inspection and certification.* Whenever the handling of any variety of limes is regulated pursuant to § 1001.52, each handler who handles limes shall, prior thereto, cause each lot of limes handled to be inspected by the Federal-State Inspection Service and certified by it as meeting the applicable requirements of such regulation: *Provided*, That such inspection and certification shall be required when the limes previously have been so inspected and certified only if such limes have been regraded, resorted, or repackaged after the prior inspection and certification. Promptly thereafter, each such handler shall submit, or cause to be submitted, to the committee a copy of the certificate of inspection with respect to such handling.

§ 1001.56 *Limes not subject to regulations.* Except as otherwise provided in this section, any person may, without regard to the provisions of §§ 1001.41, 1001.52, and 1001.55, and the regulations issued thereunder, handle limes (a) for consumption by charitable institutions; (b) for distribution by relief agencies; (c) for commercial processing into products; or (d) in such minimum quantities or types of shipments, or for such specified purposes as the committee, with the approval of the Secretary, may prescribe. The committee shall, with the approval of the Secretary, prescribe such

rules, regulations, and safeguards as it may deem necessary to prevent limes handled under the provisions of this section from entering channels of trade for other than the specific purposes authorized by this section. Such rules, regulations, and safeguards may include the requirements that handlers shall file applications with the committee for authorization to handle limes pursuant to this section, and that such applications be accompanied by a certification by the intended purchaser or receiver that the limes will not be used for any purpose not authorized by this section.

REPORTS

§ 1001.60 *Reports.* (a) Each handler shall furnish to the committee, at such times and for such periods as the committee may designate, certified reports covering, to the extent necessary for the committee to perform its functions, the following: (1) The quantities of each variety of limes he received; (2) a complete record of the quantities disposed of by him, segregated as to varieties and as to the respective quantities subject to regulation and not subject to regulation; (3) the date of each such disposition and the identification of the carrier transporting such fruit; (4) identification of the inspection certificates and the exemption certificates, if any, pursuant to which the fruit was handled, together with the destination of each such exempted disposition, and of all fruit handled pursuant to § 1001.56; and (5) the quantity of each variety held by him at the end of the period.

(b) Upon request of the committee, made with the approval of the Secretary, each handler shall furnish to the committee, in such manner and at such times as it may prescribe, such other information as may be necessary to enable the committee to perform its duties under this part.

(c) Each handler shall maintain for at least two succeeding fiscal years, such records of the limes received and disposed of by him as may be necessary to verify the reports he submits to the committee pursuant to this section.

(d) All reports and records submitted by handlers pursuant to the provisions of this section shall be received by, and at all times be in custody of, one or more designated employees of the committee. No such employee shall disclose to any person, other than the Secretary upon request therefor, data or information obtained or extracted from such reports and records which might affect the trade position, financial condition, or business operation of the particular handler from whom received: *Provided*, That such data and information may be combined, and made available to any person, in the form of general reports in which the identities of the individual handler furnishing the information is not disclosed and may be revealed to any extent necessary to effect compliance with the provisions of this part and the regulations issued thereunder.

MISCELLANEOUS PROVISIONS

§ 1001.61 *Compliance.* Except as provided in this part, no person shall handle limes, the shipment of which has

been prohibited by the Secretary in accordance with the provisions of this part; and no person shall handle limes except in conformity with the provisions of this part and the regulations issued under this part.

§ 1001.62 *Right of the Secretary.* The members of the committee (including successors and alternates) and any agents, employees, or representatives thereof, shall be subject to removal or suspension by the Secretary at any time. Each and every regulation, decision, determination, or other act of the committee shall be subject to the continuing right of the Secretary to disapprove of the same at any time. Upon such disapproval, the disapproved action of the committee shall be deemed null and void, except as to acts done in reliance thereon or in accordance therewith prior to such disapproval by the Secretary.

§ 1001.63 *Effective time.* The provisions of this part, and of any amendment thereto, shall become effective at such time as the Secretary may declare above his signature to this part, and shall continue in force until terminated in one of the ways specified in § 1001.64.

§ 1001.64 *Termination.* (a) The Secretary may at any time terminate the provisions of this part by giving at least one day's notice by means of a press release or in any other manner in which he may determine.

(b) The Secretary shall terminate or suspend the operation of any and all of the provisions of this part whenever he finds that such provisions do not tend to effectuate the declared policy of the act.

(c) The Secretary shall terminate the provisions of this part at the end of any fiscal year whenever he finds that continuance is not favored by the majority of producers who, during a representative period determined by the Secretary, were engaged in the production of limes for market: *Provided*, That such termination is announced on or before March 15 of the then current fiscal year. The Secretary shall, as soon as practicable after the close of the fiscal year ending March 31, 1957, conduct a referendum of producers and a poll of handlers to determine whether the continuation of this part is favored by them. Producers entitled to vote in such referendum shall be those who, during the fiscal year ending March 31, 1957, were engaged in producing limes for market and the poll shall be confined to handlers who handled limes in that same fiscal year. If it develops from said referendum and poll that (1) less than two-thirds of the producers, by number or volume of production represented in said referendum, favor the continuance of this part, or (2) handlers representing more than one-half the volume of limes handled favor termination of this part, the Secretary shall thereupon terminate this part.

(d) The provisions of this part shall, in any event, terminate whenever the provisions of the act authorizing them cease to be in effect.

§ 1001.65 *Proceedings after termination.* (a) Upon the termination of the provisions of this part, the committee shall, for the purpose of liquidating the affairs of the committee, continue as trustees of all the funds and property then in its possession, or under its control, including claims for any funds unpaid or property not delivered at the time of such termination.

(b) The said trustees shall (1) continue in such capacity until discharged by the Secretary; (2) from time to time account for all receipts and disbursements and deliver all property on hand, together with all books and records of the committee and of the trustees, to such persons as the Secretary may direct; and (3) upon the request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person, full title and right to all of the funds, property, and claims vested in the committee or the trustees pursuant thereto.

(c) Any person to whom funds, property, or claims have been transferred or delivered, pursuant to this section, shall be subject to the same obligation imposed upon the committee and upon the trustees.

§ 1001.66 *Effect of termination or amendment.* Unless otherwise expressly provided by the Secretary, the termination of this part or of any regulation issued pursuant to this part, or the issuance of any amendment to either thereof, shall not (a) affect or waive any right, duty, obligation, or liability which shall have arisen or which may thereafter arise in connection with any provision of this part or any regulation issued under this part, or (b) release or extinguish any violation of this part or of any regulation issued under this part, or (c) affect or impair any rights or remedies of the Secretary or of any other person with respect to any such violation.

§ 1001.67 *Duration of immunities.* The benefits, privileges, and immunities conferred upon any person by virtue of this part shall cease upon its termination, except with respect to acts done under and during the existence of this part.

§ 1001.68 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States, or name any agency or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions of this part.

§ 1001.69 *Derogation.* Nothing contained in this part is, or shall be construed to be, in derogation or in modification of the rights of the Secretary or of the United States (a) to exercise any powers granted by the act or otherwise, or (b) in accordance with such powers, to act in the premises whenever such action is deemed advisable.

§ 1001.70 *Personal liability.* No member or alternate member of the committee and no employee or agent of the committee shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any person for errors in judgment, mis-

takes, or other acts, either of commission or omission, as such member, alternate, employee, or agent, except for acts of dishonesty, willful misconduct, or gross negligence.

§ 1001.71 *Separability*. If any provision of this part is declared invalid or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder of this part or the applicability thereof to any other person, circumstance, or thing shall not be affected thereby.

Done at Washington, D. C., this 10th day of June 1955, to become effective upon publication in the FEDERAL REGISTER.

[SEAL]

TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 55-4775; Filed, June 14, 1955;
8:53 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Supp. 5]

PART 1—CERTIFICATION, IDENTIFICATION, AND MARKETING OF AIRCRAFT AND RELATED PRODUCTS

QUALITY CONTROL

The purpose of this revision is to liberalize the CAA policy relative to the weighing of aircraft for the purpose of finding the average empty weight and c. g. § 1.34-1 (h) (2) (i) and (ii) published in 19 F. R. 7078, on October 30, 1954, provided that all aircraft have identical equipment installed when weighed. The following revision to § 1.34-1 (h) (2) (i) and (ii) allows the manufacturer to have nonidentical equipment installed in the aircraft when weighed, provided appropriate adjustments are made to conform to the "standard equipment" configuration.

Section 1.34-1 (h) (2) (i) and (ii) is amended as follows:

§ 1.34-1 *Quality control (CAA policies which apply to § 1.34)* * * *

(h) *Standard empty weight and c. g. for production aircraft.* * * *

(2) * * *

(i) Actually weigh and determine the empty c. g. of ten aircraft of a particular model as a means of establishing an average empty weight and empty c. g. Each aircraft of the model need not have identical equipment installed at time of weighing, provided the manufacturer selects a "standard" equipment configuration, and the weight and arm of the non-standard equipment items are determined. In order to compute the correct average weight and c. g. for such a model, appropriate corrections to the weight and balance data for individual aircraft should be made, where necessary, to make such data correspond to the "standard" equipment configuration.

(ii) Subsequently, with respect to production aircraft, at least each tenth aircraft should actually be weighed for the purpose of determining that the initially established empty weight and empty c. g. are being maintained. If this weighing indicates a variation in empty weight which is in excess of 1 percent of the

initially established weight, or a variation in the empty c. g. which exceeds one-half of 1 percent of the MAC, a new average weight should be established in accordance with procedures followed in establishing the initial average empty weight and c. g. conditions.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies secs. 601, 603, 52 Stat. 1007, 1009 as amended; 49 U. S. C. 551, 553)

This supplement shall become effective July 15, 1955.

[SEAL]

F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 55-4767; Filed, June 14, 1955;
8:51 a. m.]

[Supp. 29]

PART 42—IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

MISCELLANEOUS AMENDMENTS

The following miscellaneous amendments are made to Part 42:

(1) Section 42.32-1 is changed from an interpretation to a policy and revised to provide irregular air carriers and commercial operators with more flexibility and wider option in meeting the airframe housing requirements of § 42.32 (a) when performing their own maintenance functions. This section formerly authorized work docks to be used where climatic conditions permitted; the section now authorizes the use of work docks appropriate to the climatic conditions which prevail at a particular maintenance base.

(2) Section 42.55-1 is not applicable since the amendments to § 42.55 (b) on December 10, 1954, and is therefore deleted.

(3) A new § 42.55-3 is added, which establishes the policy under which the Administrator will authorize irregular air carriers and commercial operators weather minimums down to the lowest minimums prescribed in Part 609 for IFR takeoffs and landings at regularly used airports, such as a main operations base.

(4) The speeds to which the Convair Model 28-5ACF and PB5-5A are accelerated, listed in the Takeoff Limitations Table of § 42.80-4, are corrected to coincide with the speeds indicated in figure 1 of this section. Since this change is minor in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

The following amendments are hereby adopted.

1. Section 42.32-1 is revised to read as follows:

§ 42.32-1 *Facilities for the proper inspection, maintenance, overhaul, and repair (CAA policies which apply to § 42.32)* (a) The facilities required in § 42.32 (a) of this subchapter include housing, work space, equipment, supplies, materials, tools, parts, and aircraft components in sufficient quantity and quality to assure that the needed inspection, maintenance, overhaul, and repair of the air carrier's or commercial operator's

aircraft (including airframes, powerplants, propellers, and appliances) can be satisfactorily performed at all times by either the air carrier, or commercial operator, or persons with whom arrangements have been made for the performance of such functions.

(b) Sections 52.21-1 through 52.21-3 and §§ 52.30-1 through 52.36-1 of this subchapter, outline housing, facilities, equipment and materials which constitute criteria that may be used to determine the minimum facilities required by § 42.32 (a) insofar as applicable and appropriate to the air carrier's aircraft and maintenance system: *Provided*, That a work dock may be used for the performance of airframe maintenance in lieu of a permanent hangar, if such work dock is appropriate for the proper performance of such maintenance under the climatic conditions which prevail at the particular maintenance location. When necessary, the entire airframe or portion thereof on which work is being performed should be enclosed so as to exclude rain, snow, dust, and provide reasonable protection to workers from the extremes of temperature which might impair the work being performed.

(c) When an air carrier contracts to perform inspection, maintenance, overhaul and repair on aircraft of other air carriers, the minimum facilities required by § 42.32 (a) are considered to be the same as required for a certificated repair station performing identical functions.

2. Section 42.55-1 is hereby deleted.

3. Section 42.55-3 is adopted to read as follows:

§ 42.55-3 *IFR takeoff and landing minimums (CAA policies which apply to § 42.55 (b))* (a) The basic IFR takeoff minimums and landing minimums for each type of instrument approach procedure are prescribed in the operations specifications issued to an air carrier or commercial operator under the authority of this part. Frequently, these minimums are higher than those published in Part 609 of this title. However, by application to the local CAA Aviation Safety Agent having certificate responsibility, minimums down to the lowest minimums prescribed in Part 609 of this title for a particular airport may be authorized if such airport is regularly used by an air carrier or commercial operator (e. g., main operations base). To obtain such authorization, the air carrier or commercial operator will be required to demonstrate that its pilot training program and overall operating proficiency is adequate for the use of lower minimums. Such lower minimums, when approved, will be applicable only to those pilots-in-command who (1) have served as a pilot or as an observer member of the crew on the flight deck during operations conducted into the particular airport within the previous twelve months, (2) have been checked in accordance with § 42.44-2 of this subchapter on the type of facility for which the lower minimums are authorized, and (3) have been so certificated by a company check pilot as being qualified to operate at the lower minimums.

4. Section 42.80-4, table 1, the parenthetical portions of paragraphs (a) and (b) is corrected to read, "(Distance to accelerate to 95 miles per hour TIAS (28-5ACF) 91 miles per hour TIAS (PB-5A) and stop, with zero wind and zero gradient.)"

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply secs. 601, 604, 605, 52 Stat. 1007, as amended, 1010, as amended; 49 U. S. C. 551, 554, 555)

This supplement shall become effective June 30, 1955.

[SEAL] F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 55-4768; Filed, June 14, 1955;
8:51 a. m.]

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 57]

PART 600—DESIGNATION OF CIVIL AIRWAYS ALTERATION

The civil airway alteration appearing hereinafter has been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Panel, and is adopted to become effective when indicated in order to promote safety. Compliance with the notice procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest and therefore is not required.

Part 600 is amended as follows:

1. Section 600.645 is amended to read:

§ 600.645 *Blue civil airway No. 45 (Greenfield, Mass., to Newport, Vt.)* From the intersection of the north course of the Westfield, Mass., radio range and the southwest course of the Concord, N. H., radio range via the Keene, N. H., nondirectional radio beacon to the Lebanon, N. H., nondirectional radio beacon. From the Montpelier, Vt., radio range station via the intersection of the northeast course of the Montpelier, Vt., radio range and a line bearing 180° True from the Newport, Vt., nondirectional radio beacon to the Newport, Vt., nondirectional radio beacon excluding the portion which lies outside of the continental limits of the United States.

(Sec. 205, 52 Stat. 984, amended; 49 U. S. C. 425. Interprets or applies sec. 302, 52 Stat. 985, as amended; 49 U. S. C. 452)

This amendment shall become effective 0001 e. s. t., June 15, 1955.

[SEAL] F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 55-4737; Filed, June 14, 1955;
8:45 a. m.]

[Amdt. 57]

PART 601—DESIGNATION OF CONTROL AREAS, CONTROL ZONES, AND REPORTING POINTS

ALTERATIONS

The control area and reporting point alterations appearing hereinafter have

been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Panel, and are adopted to become effective when indicated in order to promote safety. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest and therefore is not required.

Part 601 is amended as follows:

1. Section 601.645 is amended to read:

§ 601.645 *Blue civil airway No. 45 control areas (Greenfield, Mass., to Newport, Vt.)* All of Blue civil airway No. 45.

2. Section 601.1046 *Control area extension (Montpelier Vt.)* is revoked.

3. Section 601.4645 is amended to read:

§ 601.4645 *Blue civil airway No. 45 (Greenfield, Mass., to Newport, Vt.)*. No reporting point designation.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1107, as amended; 49 U. S. C. 551)

This amendment shall become effective 0001 e. s. t., June 15, 1955.

[SEAL] F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 55-4738; Filed, June 14, 1955;
8:45 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter C—Military Education

PART 542—SCHOOLS AND COLLEGES

MISCELLANEOUS AMENDMENTS

Sections 542.2, 542.3 and 542.5 (a) are revised to read as follows:

§ 542.2 *Educational institutions.* (a) The schools and colleges referred to in the act of Congress cited in § 542.1 include those educational institutions, public or private, having not less than 100 physically fit male students above the age of 14 years and which do not maintain units of ROTC. Each school within a multiple school unit must meet this enrollment requirement in order to be eligible to participate in this program.

(b) In order to avail themselves of the privileges prescribed by the regulations of this part the institutions concerned must agree to the following:

(1) To provide the course of military instructions prescribed or approved by the Department of the Army.

(2) That any student who enters upon the prescribed course of military training will be required to continue the training for the remainder of that academic year, as a prerequisite for graduation or promotion from that year's course, unless excused therefrom by the head of the institution, upon the recommendation of the professor of military science and tactics.

(3) To allot and require an average of not less than 3 hours a week per school year to the prescribed course of military training.

§ 542.3 *Application.* (a) When an educational institution which is not re-

ceiving Government assistance under the provisions of the act of Congress cited in § 542.1, desires to receive such assistance, the authorities of the institution will submit an application in substantially the following form to the army commander:

(Place)

(Date)

Subject: Military Training Under Section 55c, National Defence Act, as amended.

To: Commanding General, _____ Army.
1. The _____, of
(Governing body)

(Name of institution)

located at _____, desires to participate in the military training program authorized under section 55c, National Defence Act, as amended.

2. Number of physically fit male students above the age of 14 years enrolled at the institution: _____

3. Military training (will) (will not) be required of all eligible students.

4. Number of such students who will participate in the prescribed military training: _____

5. The authorities of the institution agree to allot and require an average of not less than 3 hours a week per school year to the course of military training prescribed by the Secretary of the Army.

6. They further agree that when any student enters upon such course of military training it shall, as regards such student, be a prerequisite for graduation or promotion for that academic year unless such student is excused from this training by the head of the institution, upon recommendation of the professor of military science and tactics.

7. The authorities of the institution agree to provide an instructor who is qualified to teach the course of military training prescribed by the Secretary of the Army, and who is acceptable to the Department of the Army. It is understood that if credit for the 55c training toward completion of the senior division ROTC is desired, the professor of military science and tactics must be a retired or Reserve Officer of the Army not on active duty.

8. The authorities of the institution will provide suitable storage facilities for all Government property issued to the institution and will take such measures as are necessary to properly care for the same; they will cause to be executed, on a blank form to be furnished by the army commander, a bond in the value of the Government property (plus 15 percent) to be issued, for the care and safekeeping thereof and for its return when required.

Signature _____
(Head of institution)

(b) Upon receipt of the application, the army commander will have inspection of the institution accomplished to determine whether the requirements for the establishment of a 55c unit are fulfilled. The application, together with report of such inspection, and comments and recommendations of the army commander regarding approval or disapproval of application, will be submitted to The Adjutant General, Department of the Army, Washington 25, D. C., ATTN: AGPB-O. Upon approval of the application by the Department of the Army, requisitions for appropriate equipment will be made by the institution on DA Form 445 (Requisition) and will be forwarded to the army commander for ap-

proval. After the value of the property to be issued to the institution has been determined, a bond in the sum of not less than 15 percent in excess of the value of all Government property to be issued will be furnished by the institution to the army commander. Upon receipt of the bond, the army commander will forward the requisitions to appropriate distribution depots for supply action. All expenses incident to the supply units established under the provisions of the regulations of this part will be borne from ROTC funds allocated to the heads of technical services, and army commanders when appropriate.

§ 542.5 *Personnel*—(a) *Instructors*. The institution will provide instructors to conduct the military training program. The professor of military science and tactics must be a retired or Reserve officer of the Army not on active duty, if credit toward completion of the senior division ROTC is desired. The name and qualifications of the individual selected for professor of military science and tactics, with detailed history of military experience will be submitted through the army commander to The Adjutant General, Department of the Army, Washington 25, D. C., ATTN: AGPB-O, for approval, after the establishment of a unit has been authorized. Training as provided by the regulations of this part will not be conducted until assignment of the professor of military science and tactics has been approved.

[C3, AR 350-250, May 10, 1955] (41 Stat. 780; 10 U. S. C. 1180, 1181)

[SEAL] JOHN A. KLEIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 55-4763; Filed, June 14, 1955;
8:50 a. m.]

Chapter VII—Department of the Air Force

PART 804—RELATIONS WITH AGENCIES OF PUBLIC CONTACT

ADMISSION OF LABOR UNION REPRESENTATIVES TO AIR FORCE INSTALLATIONS

In Part 804, new §§ 804.301 to 804.304 are prescribed as follows:

Sec.
804.301 Purpose.
804.302 Policy.

Sec.
804.303 Procedures on admission to unclassified areas.
804.304 Limitations.

AUTHORITY: §§ 804.301 to 804.304 issued under R. S. 161, sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 22, 171a.

DERIVATION: AFR 11-23, June 3, 1955.

§ 804.301 *Purpose*. Sections 804.301 to 804.304 announce the Air Force policy governing admission of labor union representatives to Air Force installations.

§ 804.302 *Policy*. (a) Air Force policy is to cooperate with authorized labor union representatives by granting them admission to Air Force installations when they are engaged in legitimate union business.

(b) The admission of labor union representatives to Air Force installations will be governed by the following:

(1) Where union agents desire to enter an installation to conduct union business during working hours, the base commander may authorize such visits: *Provided*, That the entry of the agents does not violate applicable safety and security regulations and, that their entry, presence, or activities will not interfere with base operations or the progress of work.

(2) Where construction on Air Force installations is administered by a construction agent of the Air Force, such as the Corps of Engineers, United States Army, commanders should notify the construction agent of the proposed visit and the purpose thereof. They should also determine whether the proposed visit will interfere with the work progress.

§ 804.303 *Procedures on admission to unclassified areas*. Permission to enter an Air Force installation may be granted by the commander to labor union representatives to:

(a) Discuss with the commander those policy matters which relate to employees who are engaged in work on the installation and who are members of the union represented by the visitor.

(b) Visit contractors, contractor representatives, or union stewards to discuss and review conditions of employment, grievances, and related matters within the terms of the collective bargaining agreements involving employees.

(c) Visit individual employees of contractors, provided that discussion and review of matters within the collective bargaining process cannot otherwise be accomplished.

§ 804.304 *Limitations*. (a) Approval of visits to labor representatives should include the limitations and restrictions applicable to visitors. In addition, notification should specify that permission to visit an Air Force activity does not include the right to hold meetings, collect dues, make speeches, or distribute inciting or provocative material.

(b) Organizing activities carried on during work hours are considered to be disruptive; therefore, visits will not be authorized for this purpose.

(c) Nothing contained in these sections should be interpreted as requiring that permanent passes be issued to labor representatives to conduct union business.

(d) The provisions of Part 805 of this chapter govern admission to classified areas.

[SEAL] E. E. TORO,
Colonel, U. S. Air Force,
Air Adjutant General.

[F. R. Doc. 55-4736; Filed, June 14, 1955;
8:45 a. m.]

TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 20—SPECIAL REGULATIONS

EVERGLADES NATIONAL PARK; LESSEE UNDER A MINING LEASE

Section 20.45 *Everglades National Park*, is amended by adding a new paragraph (1), reading as follows:

(1) *Lessee under a mining lease*. A lessee under a mining lease which was granted by the State of Florida prior to the enactment of the act of October 10, 1949 (63 Stat. 733), and which is still in force, being an operator having the right to prospect or explore for, develop, produce, or remove oil, gas, or other minerals, shall comply with the regulations contained in paragraph (j) (4) (5) and (6) of this section.

(Sec. 3, 39 Stat. 535, as amended; 10 U. S. C. 3)

Issued this 16th day of May 1955.

THOMAS J. ALLEN,
Acting Director,
National Park Service.

[F. R. Doc. 55-4741; Filed, June 14, 1955;
8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 987]

HANDLING OF MILK IN CENTRAL MISSISSIPPI MARKETING AREA

DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND PROPOSED ORDER AMENDING ORDER

Pursuant to the provisions of the Agricultural Marketing Agreement Act

of 1937, as amended (7 U. S. C. 601 et seq) and the applicable rules of practice and procedure, as amended, governing the proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900) a public hearing was conducted at Jackson, Mississippi, on May 9, 1955, pursuant to notice thereof issued May 3, 1955 (20 F. R. 3028)

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator,

Agricultural Marketing Service, on May 23, 1955, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision and opportunity to file written exceptions thereto was published in the FEDERAL REGISTER on May 26, 1955.

The material issues, findings and conclusions, and general findings of the recommended decision (20 F. R. 3686; Doc. 55-4281) are hereby approved and adopted by this decision as if set forth in full herein.

Ruling on exceptions. Within the period reserved for the filing of exceptions by interested parties, no exceptions to the recommended decision were received.

Determination of representative period. The month of April 1955, is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of an order amending the order regulating the handling of milk in the Central Mississippi marketing area in the manner set forth in the attached amending order is approved or favored by producers who during such period were engaged in the production of milk for sale in the marketing area specified in such order.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Central Mississippi Marketing Area" and "Order Amending the Order Regulating the Handling of Milk in the Central Mississippi Marketing Area" which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered. That this decision, except the attached marketing agreement be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the attached order which will be published with this decision.

This decision filed at Washington, D. C., this 10th day of June 1955.

[SEAL]

TRUE D. MORSE,
Acting Secretary.

Order¹ Amending the Order Regulating the Handling of Milk in the Central Mississippi Marketing Area

§ 987.0 **Findings and determinations.** The findings and determinations herein-after set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) **Findings upon the basis of the hearing record.** Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act") (7 U. S. C. 601 et seq.) and the rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) a public hearing was held

¹ This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Central Mississippi marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act:

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the order as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which hearings have been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Central Mississippi marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order as hereby amended, and the aforesaid order is hereby amended as follows:

1. Amend § 987.8 to read as follows:

§ 987.8 **Supply plant.** "Supply plant" means (a) any plant other than a distributing plant from which Grade A milk, skim milk or cream is shipped during the month to a distributing plant in any of the months of January through July, or (b) any plant other than a distributing plant from which not less than 50 percent of the Grade A milk received from dairy farmers during the month is shipped in such month as milk, skim milk or cream to distributing plants during the months of August through December.

2. Add the following as § 987.31 (c)

(c) Each handler who receives producer milk for which payment is to be made to a cooperative association pursuant to § 987.90 (e) shall report to such cooperative association with respect to each such producer as follows:

(1) On or before the 20th day of each month the total pounds of milk received during the first 15 days of the month, (2) On or before the 10th day after the end of each month:

(i) The daily and total pounds of milk received during the month with separate totals for base and excess milk for the months of March through July, and the average butterfat test thereof, and

(ii) The amount or rate and nature of any deductions.

3. Delete § 987.44 (a) and substitute therefor the following:

(a) As follows if transferred in the form of products designated as Class I milk in § 987.41 (a) (1) to the fluid milk:

plant of another handler, except a producer-handler, unless utilization as Class II milk is claimed by both handlers in their reports submitted for the month to the market administrator pursuant to § 987.30, subject in any event to the conditions set forth in subparagraph (3) of this paragraph:

(1) As Class I milk, if transferred from a distributing plant to a fluid milk plant or from a supply plant to a supply plant;

(2) Pro rata to the amounts of skim milk and butterfat, respectively, remaining in each class in the plant(s) of the transferee handler after subtraction pursuant to § 987.46 (a) (4) and the corresponding step of (b) of any skim milk or butterfat classified pursuant to subparagraph (1) of this paragraph, if transferred from a supply plant to a distributing plant;

(3) (i) In no event shall the skim milk or butterfat assigned to Class II milk exceed the amount thereof remaining in Class II milk in the plant(s) of the transferee handlers after subtraction of other source milk pursuant to § 987.46 and any additional amounts of such skim milk or butterfat shall be classified as Class I milk; and

(ii) If either or both handlers have other source milk during the month, the skim milk or butterfat so transferred shall be classified at both plants so as to allocate the greatest possible Class I milk utilization to producer milk of both handlers.

4. Add the following as § 987.90 (e)

(e) In lieu of payments pursuant to paragraphs (a), (b) and (c) of this section each handler shall make payment to a cooperative association which has filed a written request for such payment with such handler and with respect to producers for whose milk the market administrator determines that such cooperative association is authorized to collect payment, as follows:

(1) On or before the 26th day of each month, an amount equal to not less than the Class II price for the preceding month multiplied by the hundredweight of milk received during the first 15 days of the month from such producers, and

(2) On or before the 13th day after the end of each month an amount equal to not less than the applicable uniform price(s) pursuant to §§ 987.71 and 987.72, multiplied by the hundredweight of milk received from such producers to which each such price is applicable, subject to the butterfat differential computed pursuant to § 987.91 and the location differential computed pursuant to § 987.92, less payment made such cooperative association pursuant to subparagraph (1) of this paragraph, and proper deductions authorized in writing by such producers or such cooperative associations.

5. Add the following as § 987.90 (f)

(f) On or before the 13th day after the end of the month each handler shall pay to each cooperative association which is also a handler for milk received from it not less than the value of such milk as classified pursuant to § 987.44 (a) at the applicable respective class

prices, including charges and differentials prescribed by the order.

Order of the Secretary Directing That a Referendum Be Conducted Among the Producers Supplying Milk to the Central Mississippi Marketing Area; Determination of a Representative Period, and Designation of an Agent To Conduct Such Referendum

Pursuant to section 8c (19) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 608c (19)) it is hereby directed that a referendum be conducted among the producers (as defined in the order regulating the handling of milk in the Central Mississippi marketing area) who, during the month of April 1955, were engaged in the production of milk for sale in the marketing area specified in the aforesaid order to determine whether such producers favor the issuance of an order amending the order, which is filed simultaneously herewith.

The month of April 1955 is hereby determined to be the representative period for the conduct of such referendum.

E. Hickman Greene is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for conducting of referenda to determine producer approval of milk marketing orders as published in the FEDERAL REGISTER on August 10, 1950 (15 F. R. 5177) such referendum to be completed on or before the 12th day from the date this referendum order is issued.

Done at Washington, D. C., this 10th day of June 1955.

[F. R. Doc. 55-4774; Filed, June 14, 1955; 8:53 a. m.]

Commodity Stabilization Service

[7 CFR Part 723]

CIGAR-FILLER TOBACCO, AND CIGAR-FILLER AND BINDER TOBACCO

NOTICE OF FORMULATION OF REGULATIONS RELATING TO ESTABLISHMENT OF FARM ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR 1956-57 MARKETING YEAR

Pursuant to the authority contained in the applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301, 1312, 1313), the Secretary of Agriculture is preparing to formulate regulations governing the establishment of farm acreage allotments and normal yields for the 1956 crop of (a) cigar-filler (type 41) tobacco and (b) cigar-filler and binder (types 42-44, 51-55, inclusive) tobacco. The Agricultural Adjustment Act of 1938, as amended, includes types 42-44 and 51-55 in the definition of cigar-filler and cigar-binder tobacco, and only type 41 in the definition of cigar-filler tobacco.

Cigar-filler and binder (types 42-44, 51-55, inclusive) tobacco growers favored marketing quotas for the 1954-55, 1955-56, and 1956-57 marketing years (18 F. R. 8474). The applicability of the regulations to be issued for cigar-filler (type 41) tobacco will be contingent

upon the proclamation of a national marketing quota for such kind of tobacco for the 1956-57 marketing year pursuant to section 312 of the act (7 U. S. C. 1312), and upon approval of quotas by growers voting in a referendum.

It is contemplated that the respective regulations for these two kinds of tobacco will be substantially the same as those issued with respect to the 1955 crops (19 F. R. 3543 and 19 F. R. 3547), except as stated below.

1. The 1956 base acreage of cigar-filler and binder (types 42-44, 51-55) tobacco for a farm will be the 1955 allotment given a weight of four and the 1955 harvested acreage a weight of one: *Provided*, That (a) for this purpose the 1955 harvested acreage shall be considered to be the smaller of the 1955 harvested acreage or the 1955 allotment and (b) if the 1955 harvested acreage is as much as 80 percent of the 1955 allotment, the 1955 allotment shall be the 1956 base acreage for the farm. If tobacco was harvested in any of the years 1951-55 on a farm for which no 1955 tobacco acreage allotment was determined, the 1956 base acreage for the farm will be determined by the community and county committees without any consideration of the acreage of tobacco harvested in 1955, on the basis of land, labor, and equipment available for the production of tobacco; crop rotation practices; and the soil and other physical factors affecting the production of tobacco, but such 1956 base acreage shall not exceed 25 percent of the allotments for similar old farms.

2. The 1956 base acreage for cigar-filler (type 41) tobacco will be the largest of (1) the average acreage of tobacco harvested on the farm in the five years 1951-55 except that if such five-year average is in excess of the three-year 1953-55 average, it shall be reduced to the larger of such three-year average or 50 percent of the five-year average; (2) 80 percent of the average acreage of tobacco harvested on the farm in the past three years 1953-55 or (3) 45 percent of the acreage of tobacco harvested on the farm in 1955: *Provided*, That (1) the acreage of tobacco harvested on a farm in 1955 shall be considered to be the smaller of the 1955 farm tobacco acreage allotment determined for the farm or the acreage of tobacco harvested on the farm in 1955, or (2) if tobacco was harvested in 1955 for the first time since 1950 on a farm for which no 1955 allotment was determined, the 1956 base acreage will be determined by the community and county committees without any consideration of the acreage of tobacco harvested in 1955, on the basis of land, labor, and equipment available for the production of tobacco; crop rotation practices; and the soil and other physical factors affecting the production of tobacco, but such 1956 base acreage shall not exceed 25 percent of the allotments for similar old farms.

3. The provision whereby farm base acreages can be increased or decreased by community and county committees would be changed to provide that the total of the base acreages after such in-

creases and decreases have been made shall not exceed the total before such increases and decreases have been made. The 1955-56 regulations permitted such total, after the increases and decreases, to be two percent higher than before such increases and decreases.

4. 1956 farm acreage allotments would be determined in acres and hundredths of an acre. The rule of fractions would be to round upward fractions of more than five-thousandths and round downward fractions of five-thousandths or less (i. e., 0.0050 would be 0.00 and 0.0051 would be 0.01).

5. A provision would be included pursuant to Public Law 21, 84th Congress, that the farm operator or his representative shall file a report with the county committee or its representative on Form CSS-578, Report of 1955 Acreage, showing all fields of cigar-filler and binder (types 42-44, 51-55) tobacco on the farm in 1955; and if any producer on the farm files, or aids or acquiesces in the filing of, any false report with respect to the acreage of tobacco grown on the farm in 1955, the acreage allotment for the farm shall be reduced, except that if each producer establishes to the satisfaction of the county and State committees that the filing, or aiding or acquiescing in the filing of, the false report was unintentional on his part and that he could not reasonably have been expected to know that the report was false, reduction will not be required if the report is corrected and payment of all additional penalty is made.

6. In keeping with item 5, a definition of the term "producer" would be added to mean a person who, as owner, landlord, tenant, share-cropper, or laborer is entitled to share in the tobacco available for marketing from the farm or in the proceeds thereof.

7. The yield per acre data for determining farm normal yields for cigar-filler (type 41) tobacco would be the yields obtained on the farm during such of the years 1946-54 for which data are available, and for cigar-filler and binder (types 42-44, 51-55) tobacco would be the yields obtained on the farm during the years 1950-54.

8. The acreage for adjusting old farm tobacco acreage allotments would be limited to (a) two percent (or, if recommended by the ASC State Committee and approved by the Administrator, Commodity Stabilization Service, four percent) of the total acreage allotted to all farms in the State for the 1955-56 marketing year in the case of cigar-filler and binder (types 42-44, 51-55) tobacco, and (b) two percent of the 1956 State acreage allotment in the case of cigar-filler (type 41) tobacco. These percentages are the same as for 1955.

9. The farm operator would be required to live on and obtain 50 percent or more of his livelihood from the farm covered by the application for a new farm tobacco acreage allotment.

10. The proviso in paragraph (a) of §§ 723.683 and 723.623 would be changed to provide a maximum acreage allotment for a new farm of 25 percent instead of 75 percent of the allotments for old farms that are similar to the new farm.

11. A provision would be included to provide that a new farm allotment shall not be approved for any farm which was part of another farm during the past five years for which an old farm allotment was established. Also, a new farm allotment shall not be determined for a farm not operated by the owner thereof.

12. The acreage available for allotments to farms on which tobacco will be grown in 1956 for the first time since 1950 would be limited to one percent of the 1956 national marketing quota.

13. The proviso in paragraph (a) of §§ 723.681 and 723.621 dealing with the division of farms would be changed to read as follows: "Provided, That with the recommendation of the county committee and approval of the State committee and with the written agreement of all interested persons, the tobacco acreage allotment (preliminary allotment in case of cigar-filler, type 41, tobacco) determined for a tract under the provisions of this paragraph may be increased or decreased by not more than the larger of one-hundredth acre or 10 percent of the 1956 allotment (preliminary allotment in case of cigar-filler type 41 tobacco) determined for the entire farm with corresponding increases or decreases made in the allotment (preliminary allotment in case of cigar-filler type 41 tobacco) apportioned to the other tract or tracts."

Prior to the final adoption and issuance of the regulations, consideration will be given to any data, views, and recommendations pertaining thereto which are submitted in writing to the Director, Tobacco Division, Commodity Stabilization Service, United States Department of Agriculture, Washington 25, D. C. All submissions must be postmarked not later than 10 days from the date this notice is published in the FEDERAL REGISTER in order to be considered.

Issued at Washington, D. C., this 9th day of June 1955.

[SEAL]

EARL M. HUGHES,
Administrator

[F. R. Doc. 55-4782; Filed, June 14, 1955;
8:55 a. m.]

17 CFR Part 727 I

MARYLAND TOBACCO

NOTICE OF FORMULATION OF REGULATIONS RELATING TO ESTABLISHMENT OF FARM ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR 1956-57 MARKETING YEAR

Pursuant to the authority contained in the applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301, 1312, 1313) the Secretary of Agriculture is preparing to formulate regulations governing the establishment of farm acreage allotments and normal yields for the 1956 crop of Maryland (type 32) tobacco.

Subsection (a) of section 312 of the act (7 U. S. C. 1312) requires the Secretary to proclaim a national marketing quota for each marketing year for each kind of tobacco for which a national

marketing quota was proclaimed for the immediately preceding marketing year. A marketing quota was proclaimed for Maryland tobacco for the 1955-56 marketing year.

The applicability of the regulations to be issued for Maryland tobacco will be contingent upon the proclamation of a national marketing quota for Maryland tobacco pursuant to section 312 of the act (7 U. S. C. 1312), and upon approval of such quota by growers voting in a referendum.

It is proposed that the regulations be substantially the same as those for the 1955-56 marketing year (19 F. R. 3556) with the following exceptions:

1. The 1956 preliminary allotment for an old farm would be the largest of (a) the average acreage of tobacco harvested on the farm during the years 1951-55, (b) 90 percent of the average acreage of tobacco harvested on the farm during the years 1953-55, or (c) 50 percent of the acreage of tobacco harvested on the farm in 1955: *Provided*, That (1) the acreage of tobacco harvested on a farm in 1955 shall be considered to be the smaller of the 1955 farm tobacco acreage allotment determined for the farm or the acreage of tobacco harvested in 1955 on the farm, or (2) if tobacco was harvested in 1955 for the first time since 1950 on a farm for which no 1955 Maryland tobacco acreage allotment was determined, the 1956 preliminary allotment will be determined by the community and county committees, without any consideration of the acreage of tobacco harvested in 1955, on the basis of land, labor, and equipment available for the production of tobacco, crop rotation practices, and the soil and other physical factors affecting the production of tobacco, but such 1956 preliminary allotment shall not exceed 25 percent of the allotments for similar old farms.

2. The acreage to be made available for adjustments of old farm allotments by county and community committees would be limited to three and three-fourths percent of the State acreage allotment.

3. 1956 farm tobacco acreage allotments will be determined in acres and hundredths of an acre. The rule of fractions would be to round upward fractions of more than five-thousandths and round downward fractions of five-thousandths or less (i. e., 0.0050 would be 0.00, and 0.0051 would be 0.01).

4. A provision would be included pursuant to Public Law 21, 84th Congress, that the farm operator or his representative shall file a report with the county committee or its representative on Form CSS-578, Report of 1955 Acreage, showing all fields of tobacco on the farm in 1955; if any producer on the farm files, or aids or acquiesces in the filing of, any false report with respect to the acreage of tobacco grown on the farm in 1955, the acreage allotment for the farm shall be reduced, except that if each producer establishes to the satisfaction of the county and State committees that the filing, or aiding or acquiescing in the filing of, the false report was unintentional on his part and

that he could not reasonably have been expected to know that the report was false, reduction will not be required if the report is corrected and payment of all additional penalty is made.

5. In keeping with item 4, a definition of the term "producer" would be added to mean a person who, as owner, landlord, tenant, sharecropper, or laborer is entitled to share in the tobacco available for marketing from the farm or in the proceeds thereof.

6. Farm normal yields per acre would be determined on the basis of the yields on the farm for such of the years 1946-54 for which data are available.

7. The acreage available for allotments to farms on which no tobacco was harvested during the years 1951-55 would be limited to one-fourth of one percent of the national marketing quota.

8. The proviso in paragraph (a) of § 727.621 dealing with divisions of farms would be changed to read as follows: "Provided, That with the recommendation of the county committee and approval of the State committee and with the written agreement of all interested persons, the preliminary tobacco acreage allotment determined for a tract under the provisions of this paragraph may be increased or decreased by not more than the larger of one-hundredth acre or 10 percent of the 1956 preliminary acreage allotment determined for the entire farm with corresponding increases or decreases made in the preliminary acreage allotment apportioned to the other tract or tracts."

9. The 1953 harvested acreage on a farm would be the acreage of tobacco harvested on the farm in 1953: *Provided*, That if the 1953 acreage of tobacco harvested on the farm was as much as 75 percent and not more than 100 percent of the 1953 allotment for the farm, the 1953 harvested acreage shall be considered to be equal to the 1953 farm acreage allotment: *Provided further* That if the 1953 allotment for the farm was increased under the proviso in § 727.418 of the Maryland tobacco marketing quota regulations for the 1953-54 marketing year, the 1953 harvested acreage will be (a) the adjusted harvested acreage determined pursuant to § 727.616 (b) of the Maryland tobacco marketing quota regulations for the 1954-55 marketing year, or, if larger, (b) the 1953 allotment if the 1953 harvested acreage was not less than 75 percent of the 1953 allotment.

10. The proviso in § 727.623 would be changed to provide a maximum acreage allotment for a new farm of 25 percent instead of 50 percent of the allotments for old farms that are similar to the new farm.

11. A provision would be included to provide that a new farm allotment shall not be approved for any farm which was part of another farm during the past five years for which an old farm allotment was established. Also, a new farm allotment shall not be determined for a farm not operated by the owner thereof. The farm operator would be required to live on and obtain 50 percent or more

of his livelihood from the farm covered by the application for a new farm acreage allotment.

Prior to the final adoption and issuance of the regulations, consideration will be given to any data, views and recommendations pertaining thereto which

are submitted in writing to the Director, Tobacco Division, Commodity Stabilization Service, Washington 25, D. C. All submissions must be postmarked not later than 10 days from the date this notice is published in the FEDERAL REGISTER in order to be considered.

Issued at Washington, D. C., this 9th day of June 1955.

[SEAL]

EARL M. HUGHES,
Administrator

[F. R. Doc. 55-4781; Filed, June 14, 1955;
8:55 a. m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

STATE DIRECTORS

AMENDMENT OF DELEGATION OF AUTHORITY TO DELEGATE AND REDELEGATE CERTAIN FUNCTIONS AND RESPONSIBILITIES

Pursuant to authority vested in me by Order of the Acting Secretary of Agriculture dated December 24, 1953 (19 F. R. 74, 77) as amended, the Order of the Administrator of the Farmers Home Administration dated August 10, 1954 (19 F. R. 5155) is hereby amended to change the titles of the positions of Chiefs, Farm Ownership Operations, and Farm Ownership Specialists, to Chiefs, Farm Loan Operations, and Farm Loan Officers, respectively.

Dated: June 10, 1955.

[SEAL]

H. C. SMITH,
Acting Administrator
Farmers Home Administration.

[F. R. Doc. 55-4783; Filed, June 14, 1955;
8:55 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 919665]

ALASKA

PARTIAL REVOCATION OF ORDERS OPENING LANDS UNDER FOREST HOMESTEAD ACT

JUNE 9, 1955.

Upon request of the Department of Agriculture and pursuant to the authority delegated by Departmental Order No. 2583, section 2.22 (a) of August 16, 1950, it is ordered as follows:

Subject to valid existing rights, the orders described below opening lands in the Tongass National Forest for entry under the act of June 11, 1906, as amended (34 Stat. 233; 16 U. S. C. 506-509) are hereby revoked so far as they affect the lands hereinafter described:

[List No. 8-112; Date of Order of Opening: November 8, 1927]

Lands described in Homestead Entry Survey No. 230, containing 26.47 acres.

[List No. 6-2141, as amended; Date of Order of Opening: May 10, 1920]

Lands described in Homestead Entry Survey No. 153, containing 44.30 acres.

W. G. GUERNSEY,
Acting Director

[F. R. Doc. 55-4740; Filed, June 14, 1955;
8:45 a. m.]

Office of Territories

MEDICAL OFFICER, MORNINGSIDE HOSPITAL,
PORTLAND, OREGON

REDELEGATION OF AUTHORITY REGARDING TRANSFER TO HOSPITAL OF INSANE RESIDENTS OF ALASKA

JUNE 9, 1955.

SECTION 1. Delegation of authority. The Medical Officer at Morningside Hospital, Portland, Oregon, is authorized to exercise the authority vested in the Secretary of the Interior by section 8 of the act of October 14, 1942 (56 Stat. 785, 48 U. S. C., sec. 48) with respect to the approval of the transfer to Morningside Hospital of residents of Alaska who have been legally adjudged insane outside of Alaska.

SEC. 2. Redelegation. The authority herein delegated may not be redelegated.

(Sec. 2, Secretary's Order No. 2792¹)

ANTHONY T. LAUSI,
Director Office of Territories.

[F. R. Doc. 55-4744; Filed, June 14, 1955;
8:46 a. m.]

Office of the Secretary

[Order 2791]

SUPERINTENDENT OF SAN JUAN NATIONAL HISTORICAL SITE, PUERTO RICO

DELEGATION OF AUTHORITY FOR EXECUTION OF CERTAIN DEEDS

JUNE 3, 1955.

SECTION 1. Delegation of authority. The Superintendent of the San Juan National Historic Site, San Juan, Puerto Rico, is authorized to exercise the authority conferred on the Secretary of the Interior by the act of August 15, 1953 (67 Stat. 584) with respect to the execution of deeds relating to property formerly held by the Puerto Rico Reconstruction Administration.

SEC. 2. Redelegation. The authority herein delegated may not be redelegated.

(Sec. 2, Reorg. Plan No. 3 of 1950; 5 U. S. C. 1952 ed., sec. 1332-15, note)

CLARENCE A. DAVIS,
Acting Secretary of the Interior

[F. R. Doc. 55-4742; Filed, June 14, 1955;
8:46 a. m.]

¹ See F. R. Document 55-4743, Office of the Secretary, *infra*.

[Order 2792]

DIRECTOR, OFFICE OF TERRITORIES¹

DELEGATION OF AUTHORITY REGARDING CARE AND CUSTODY OF INSANE RESIDENTS OF ALASKA

JUNE 3, 1955.

SECTION 1. Delegation of authority. The Director, Office of Territories, is authorized to exercise the authority vested in the Secretary of the Interior by the act of October 14, 1942 (56 Stat. 782, 48 U. S. C., sec. 46 et seq.), and acts supplementary thereto, relating to the care and custody of insane residents of Alaska.

SEC. 2. Redelegation. The Director, Office of Territories, may, in writing, redelegate or authorize written redelegation of the authority granted in section 1 of this order.

SEC. 3. Revocation. Order No. 2672, dated November 23, 1951, is revoked.

(Sec. 2, Reorg. Plan No. 3 of 1950; 5 U. S. C. 1952 ed., sec. 1332-15, note)

CLARENCE A. DAVIS,
Acting Secretary of the Interior

[F. R. Doc. 55-4743; Filed, June 14, 1955;
8:46 a. m.]

DEPARTMENT OF COMMERCE

Bureau of Foreign Commerce

[Case 196]

LES FILS DE BASILE OBEGI ET AL.

ORDER DENYING EXPORT PRIVILEGES

In the matter of Les Fils de Basile Obegi, Raymond Obegi, Maurice Obegi, Khan Ghomrok, P. O. Box 277, Aleppo, Syria and Jean B. Maghamez, Khan Villegrosse, Aleppo, Syria, Respondents; Case No. 196.

The respondents, Les Fils de Basile Obegi, Raymond Obegi, Maurice Obegi, and Jean B. Maghamez, having been charged by the Director of the Investigation Staff of the Bureau of Foreign Commerce, Department of Commerce, with having violated the Export Control Act of 1949, as amended, and regulations promulgated thereunder, in that, as alleged (a) they knowingly made and caused to be made false representations and certifications to, and concealed material facts from, the Office of International Trade, now the Bureau of Foreign Commerce, and (b) they diverted 100 Jeeps to a country other than those

¹ See F. R. Document 55-4744, Office of Territories, *supra*.

named as the place of ultimate destination in an export license authorizing the exportation of said Jeeps from the United States; and the charging letter having been duly served on the respondents who failed to appear in this proceeding, failed to answer and did not demand a hearing, the evidence in this proceeding was presented to the Compliance Commissioner in accordance with § 382.4 of the export control regulations (15 CFR 382.4). Respondents' export privileges have been temporarily suspended since December 1953. The Compliance Commissioner has filed his report herein and made his recommendation.

Having carefully considered the whole record, the report and the recommendation, and having found (a) that in July 1953, the respondents Raymond Obegi, Maurice Obegi, Les Fils de Basile Obegi, and Jean B. Maghamez did make false representations and certifications to the U. S. exporter and to the Office of International Trade to the effect that said Jean B. Maghamez was the ultimate consignee for said Jeeps and intended to resell them only for use in Syria and Lebanon, (b) that the respondents Raymond Obegi, Maurice Obegi, and Les Fils de Basile Obegi did at that time conceal from the exporter and from the Office of International Trade their intention to divert said Jeeps to Rumania; and (c) that in November 1953, the respondents Raymond Obegi, Maurice Obegi, and Les Fils de Basile Obegi, with knowledge of their prior representations, and that the export license authorizing the exportation of said Jeeps from the United States restricted their ultimate sale to persons in Syria and Lebanon, and with knowledge that any diversion from said places was in violation of the export regulations, did nevertheless divert said Jeeps and transship them to Rumania; the undersigned Director, Office of Export Supply, does therefore conclude that the respondents have violated the Export Control Act of 1949, as amended, and regulations promulgated thereunder.

The Compliance Commissioner, when making his recommendation, took into consideration the fact that the result of the acts committed by respondents was the diversion of a large quantity of strategic commodities to a Soviet Bloc country, Rumania. He has also stated as his opinion that Maghamez was an unwitting tool of the Obegi respondents, but that in order to warn other persons resident in foreign lands that certificates made for use before the Bureau of Foreign Commerce must contain true statements of fact and that the language deficiencies of such persons will not excuse them from the making of false statements alleged to have been made without knowledge or understanding of the content of import thereof, remedial action should be taken against Maghamez as well as the Obegi respondents. The recommendation of the Compliance Commissioner is adopted and, having concluded that the provisions hereinafter set forth are fair, reasonable and necessary to achieve effective enforcement of the law *It is now ordered:*

I. All the respondents herein, their successors or assigns, officers, directors, representatives, agents and employees, are hereby denied all privileges of participating, directly or indirectly, in any manner, form, or capacity, in an exportation of any commodity or technical data from the United States to any foreign destination. Without limitation of the generality of the foregoing denial, participation in an exportation shall be deemed to include and prohibit the respondents' participation (a) as a party or as a representative of a party to any validated export license application, (b) in the obtaining or using of any validated or general export license or other export control document, (c) in the receiving, ordering, buying, selling, using, or disposing in any foreign country of any commodities in whole or in part exported or to be exported from the United States, and (d) in the financing, forwarding, transporting, processing, or other servicing of exports from the United States.

II. Such denial of export privileges shall apply not only to the respondents herein and the other persons or firms within the scope of Part I hereof, but shall apply and extend also to any other person, firm, corporation, or other business organization with which the respondents, or any of them, may be now or hereafter related by ownership, control, position of responsibility, or other connection in the conduct of trade which may involve exports from the United States or services connected therewith.

III. This order shall be effective upon the date hereof, and as to respondents Raymond Obegi, Maurice Obegi and Les Fils de Basile Obegi, shall extend for the entire period in which exports from the United States shall be controlled, and as to respondent Jean B. Maghamez shall extend for a period of six months from the date hereof.

IV. No person, firm, corporation, or other business organization, whether in the United States or elsewhere, and whether or not engaged in trade relating to exports from the United States, shall, without prior disclosure of the facts to, and specific authorization from, the Bureau of Foreign Commerce, directly or indirectly, in any manner, form or capacity, (a) apply for, obtain, transfer, or use any license, shipper's export declaration, bill of lading, or other export control document relating to an exportation of commodities from the United States, or (b) order, receive, buy, use, process, dispose of, finance, transport, forward, store, or otherwise service or participate in an exportation from the United States, with respect to which any of the respondents herein or any person or firm included within the scope of Parts I and II hereof have any interest or participation of any kind or nature, direct or indirect.

Dated: June 9, 1955.

JOHN C. BORTON,
Director
Office of Export Supply.

[F. R. Doc. 55-4783; Filed, June 14, 1955;
8:56 a. m.]

[Case 197]

WILLYS-OVERLAND EXPORT CORP. ET AL.

ORDER DENYING EXPORT PRIVILEGES

In the matter of Willys-Overland Export Corporation, Jacques H. Passino, Roger Wolfers, Toledo, Ohio, Eastern Distributors & Forwarders Corporation, Frances E. McGuire, 745 Fifth Avenue, New York, New York; Respondents; Case No. 197.

Willys-Overland Export Corporation, Jacques H. Passino, Roger Wolfers, Eastern Distributors & Forwarders Corporation, and Frances E. McGuire, were charged by the Director of the Investigation Staff, Bureau of Foreign Commerce, with having violated the Export Control Act of 1949, as amended, and regulations promulgated thereunder. These companies and their named officials allegedly participated in a sale by Willys of 100 Jeeps to a New York merchant exporter for shipment by the exporter to Les Fils de Basile Obegi and Jean B. Maghamez of Aleppo, Syria, even though Willys' Syrian distributor had informed them that he understood Obegi intended the Jeeps for reexport to, as he suspected, Rumania. They allegedly failed to disclose this information to the Bureau of Foreign Commerce or the exporter, and instead permitted the transaction to go forward to completion. On arrival of the Jeeps at Beirut, Lebanon, they were diverted by Obegi to Rumania. On these grounds Willys, Eastern, and their named officials were charged with "causing" the exporter's non-disclosure of the true destination of the Jeeps in his export control documents, "causing" the Jeeps to be diverted, and engaging in "unethical activity" and "demonstrating that they did not possess the integrity and ethical standards" required by the export control regulations.

The Willys and Eastern respondents appeared separately and were represented by respective counsel, and following discussions with officials of the Bureau of Foreign Commerce pursuant to § 382.10 of the export control regulations (15 CFR 382.10), the said respondents, by agreement with the Director, Investigation Staff, proposed that a consent order, substantially in the form of Parts I, II, III, and IV hereof, be entered against them.

Respondents, in consenting to the issuance of such order, admitted that the occurrences recited in the charging letter did take place. To the extent that they were charged with knowledge of various matters, they admitted only that they should have known such matters. They denied that their actions or failure to act resulted from wilfulness, claiming rather that they negligently failed to realize that the export regulations required them to notify the exporter and the Bureau of Foreign Commerce of the information which they had disregarded as mere "suspicion".

The charging letter, respondents' admissions, and their proposals, together with supplemental evidentiary data, were presented to the Compliance Commissioner. The Compliance Commissioner, having carefully reviewed all of such

materials, approved such proposals and reported the facts of the case to the undersigned Director, Office of Export Supply.

In his report, the Compliance Commissioner found the following facts and made the following conclusions:

Willys and Eastern are both experienced United States exporters. Eastern is the United States representative for various Middle East companies which import commodities from the United States, and as such Eastern represents the Willys' distributor for Syria.

At the time of the events in this case, Roger Wolfers was manager, Europe-Africa-Middle East Division of Willys, and Jacques H. Passino was a Willys vice-president. Frances E. McGuire was director of Eastern and the employee responsible for handling the Willys account, including the Jeep transaction involved in this case. Wolfers was the Willys official directly involved in the transaction and Passino, as Wolfers' superior, was consulted on certain material aspects.

In June 1953, a New York export company (unrelated to respondents) approached Willys to supply 100 Jeeps to fill an order which the exporter received from Obegi. During the sale negotiations between Willys and Eastern and the exporting company, both Willys and Eastern were informed by the Willys' distributor for Syria that it had been approached independently by Obegi to buy the Jeeps directly from the distributor, but that from its inquiries the distributor understood Obegi was buying the Jeeps for reexport, and it suspected they were for Rumania. Willys told its distributor, to Eastern's knowledge, not to deal further with Obegi because of the possible Iron Curtain destination.

However, Willys' and Eastern's negotiations with the exporter continued, ending in Willys' sale and delivery, with Eastern's knowledge and consent, of 100 Jeeps to the exporter for shipment to Obegi. At no time did Willys and Eastern disclose to the exporter or to the Bureau of Foreign Commerce the information they had received from the Syrian distributor, although they should have known that such information was material to the exporter's license application and the Bureau of Foreign Commerce's favorable consideration thereof. Willys and Eastern were aware that Obegi and Maghamez had represented to the exporter and to the Bureau of Foreign Commerce that Syria and Lebanon were the ultimate destination of the Jeeps, and that the Bureau of Foreign Commerce had licensed their export only to such destination.

The 100 Jeeps were exported from New York in September 1953, marked for entry into the Free Zone, Beirut, Lebanon, in transit for Syria. They arrived in Beirut in October. Obegi promptly transshipped them to Rumania. (Obegi and Maghamez are the subjects of a separate order issued this day for their unlawful acts in this transaction.) From investigation it appears that the exporter was not aware of Obegi's intention to transship the Jeeps.

The Compliance Commissioner concluded that although Willys and Eastern

Distributors made no representations to the Bureau of Foreign Commerce, did not execute any export control documents, and did not transship the Jeeps, they wrongfully failed to notify the exporter or the Bureau of Foreign Commerce, or both, of the information in their possession concerning the possible Soviet bloc destination of the Jeeps, in the face of their other knowledge concerning the represented ultimate destination. He further concluded that by reason of the foregoing, and their subsequent participation in the sale of the Jeeps to the exporter for export to the persons who falsely represented the ultimate use and destination of the vehicles to the Bureau of Foreign Commerce and unlawfully transshipped them, Willys and Eastern (a) knowingly concealed material facts and caused false representations as to ultimate destination to be made by the exporter on the latter's license application, shipper's export declaration and bill of lading, (b) with the aforesaid knowledge supplied the means whereby and wherewith the unlawful diversion to an unlicensed destination could occur, and thereby caused such diversion, and (c) were deficient in the integrity and ethical standards required by the export regulations.

Now, after reading the record herein and giving careful consideration to the proposals and the report and recommendation of the Compliance Commissioner, and taking into consideration among other things (a) that the respondents erroneously assumed that the execution of the ultimate consignee statement and the issuance of the export license relieved them of the responsibility of reporting to the exporter and to the Bureau of Foreign Commerce the information in their possession, (b) that this is a case of first impression in which persons not directly made parties to license applications have been charged with the duty to disclose information of the nature involved herein, (c) that the respondents have a prior good record of compliance with export controls, (d) that actual suspension of export privileges to Willys would halt the production of vehicles for United States and friendly foreign country military uses and would not be consistent with the national interest, and (e) that the respondents have promptly revised their office procedures and staff instructions so as to minimize the possibility of future export control violation; and, being of the opinion that the proposed order is fair and necessary to achieve effective enforcement of the law: *It is hereby ordered, That:*

I. The below named respondents, and each of them, are hereby denied all privileges of participating directly or indirectly in any manner or capacity in an exportation of any commodities from the United States to any foreign destination. Without limitation of the generality of the foregoing, participation in an exportation is deemed to include and prohibit respondents' participation (a) as a party or as a representative of a party to any export license application, (b) in the preparation or filing of any export license application or document to be submitted therewith, (c) in the obtain-

ing or using of any validated or general export license or other export control document, (d) in the receiving in any foreign country of any exportation from the United States, and (e) in the financing, forwarding, transporting, or other servicing of exports from the United States.

II. Such denial of export privileges shall be in effect from the date of this order, as to Willys-Overland Export Corporation and Eastern Distributors and Forwarders Corporation for a period of two months, as to Roger Wolfers for a period of six months, as to Frances E. McGuire for a period of four months, and as to Jacques H. Passino for a period of two months. However, with respect to respondents Willys-Overland Export Corporation and Eastern Distributors and Forwarders Corporation, the aforesaid two months' denial of export privileges shall be entirely held in abeyance for a period of six months from the date of this order, provided that each of said respondents, and the persons and companies related to each of them under Part III hereof, during said six-month period comply fully with and do not knowingly violate any of the terms of this order or any of the laws and regulations relating to export control. In the event of such violation, the Bureau of Foreign Commerce may summarily and without notice to the person or company responsible for such violation, at such time as it shall determine that such violation has occurred, issue a supplemental order which shall deny to said person or company all export privileges for the two-month period or any part of it which has been held in abeyance, without thereby limiting the Bureau of Foreign Commerce from taking such other and further action based on such violation as it shall deem warranted. In the event that such supplemental order is issued, the respondent named therein shall have the right to a hearing and appeal therefrom as provided in the export control regulations.

III. Such denial of export privileges shall extend not only to the respondents named herein, and each of them, but shall apply and extend also to any other person, firm, corporation, or business organization with which they, or any of them, may be now or hereafter related by ownership or control in the conduct of trade involving exports from the United States or services connected therewith.

IV. No person, firm, corporation, or other business organization shall, without prior disclosure to, and specific authorization from, the Bureau of Foreign Commerce, directly or indirectly in any manner or capacity, (a) apply for, obtain, or use any license, shipper's export declaration, bill of lading, or other export control document relating to any such prohibited exportation of commodities from the United States, or (b) order, receive, buy, use, dispose of, finance, transport, forward, or otherwise service or participate in, an exportation from the United States, or in a reexportation of any commodity exported from the United States, with respect to which a respondent subject to this order, or related companies and persons covered by

Part III above, have any interest or participation of any kind or nature, direct or indirect.

Dated: June 9, 1955.

JOHN C. BORTON,
Director

Office of Export Supply.

[F. R. Doc. 55-4789; Filed, June 14, 1955;
8:56 a. m.]

DEPARTMENT OF LABOR

Office of the Secretary

CALIFORNIA

NOTICE OF OPPORTUNITY FOR HEARING TO CALIFORNIA DEPARTMENT OF EMPLOYMENT

Whereas, on the 27th day of December 1935 the Unemployment Reserves Act of the State of California (Chapter 352, Laws of 1935) now known and cited as the Unemployment Insurance Code, was heretofore approved by the Social Security Board pursuant to the provisions of section 903 (a) of the Social Security Act, now section 3304 (a) of the Internal Revenue Code; and

Whereas, section 3304 (c) of the Internal Revenue Code provides that:

(c) *Certification.* On December 31 of each taxable year the Secretary of Labor shall certify to the Secretary [of the Treasury] each State whose law he has previously approved, except that he shall not certify any State which, after reasonable notice and opportunity for hearing to the State agency, the Secretary of Labor finds has amended its law so that it no longer contains the provisions specified in subsection (a) or has with respect to such taxable year failed to comply substantially with any such provision and such finding has become effective. Such finding shall become effective on the 90th day after the governor of the State has been notified thereof, unless the State has before such 90th day so amended its law that it will comply substantially with the Secretary of Labor's interpretation of the provision of subsection (a), in which event such finding shall not become effective. No finding of a failure to comply substantially with the provision in State law specified in paragraph (5) of subsection (a) shall be based on an application or interpretation of State law with respect to which further administrative or judicial review is provided for under the laws of the State.

Whereas, the California District Court of Appeal (petition for hearing denied by the California Supreme Court) in its decision in the cases of Robert E. Barber, et al., appellants, vs. California Employment Stabilization Commission et al., respondents, and Harold Crouse et al., appellants, vs. California Employment Stabilization Commission et al., respondents (278 P. 2d 762) has interpreted the California Unemployment Insurance Code to permit the denial of unemployment compensation benefits to individuals who were not at the time the dispute began working for any member of the employer association which had entered into collective bargaining agreements with the unions of which the claimants were members. The denial was based principally on the ground that work for any member of the association was "his work" for any union member within the meaning of the California trade disputes disqualification (section 1262) and not

"new work" within the meaning of the California labor standards provision (section 1259) corresponding to section 3304 (a) (5) of the Internal Revenue Code; and

Whereas, as a result of said interpretation of the California Unemployment Insurance Code it appears that the State of California may be failing to comply substantially with the requirements of section 3304 (a) (5) of the Internal Revenue Code;

Now, therefore, pursuant to the provisions of section 3304 (c) of the Internal Revenue Code, notice is hereby given that an opportunity for hearing will be provided to the State of California, to wit, the California Department of Employment, beginning at ten o'clock on the morning of the 20th day of July 1955, in court room No. 261, 2d floor, United States Court House and Post Office Building, 7th and Mission Streets, San Francisco, California, on the question of whether the State of California has failed to comply substantially with the requirements of section 3304 (a) (5) of the Internal Revenue Code, particularly subparagraph (A) of said section, and upon the basis of the evidence and legal arguments adduced at said hearing it will be determined whether or not the State of California may be certified to the Secretary of the Treasury, as provided in section 3304 (c) of the Internal Revenue Code.

The hearing will be conducted in accordance with the following rules, subject, however, to such subsequent modifications by the Presiding Officer (the Secretary of Labor or his authorized representative) as are deemed appropriate.

1. The Secretary of Labor will appoint a hearing examiner to preside over the hearing.

2. The parties of record shall be the State of California and the United States Department of Labor.

3. Participation by any person other than the parties of record shall be limited to oral argument as provided in paragraph 12 below and to the filing of written briefs on the issues within the time allowed in paragraph 13 below.

4. The hearing shall be stenographically recorded and a transcript made which will be available to any person, at prescribed rates.

5. At the discretion of the hearing examiner, the hearing may be conducted from day to day or adjourned until a later date, or to a different place by announcement thereof at the hearing, or by other appropriate notice.

6. At any stage of the hearing the hearing examiner may call for further evidence upon any matter. After the record has been closed no further evidence shall be taken except at the request of the Secretary of Labor, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Secretary shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such taking of testimony shall be given to all parties of record.

7. Evidence presented is not required to be under oath or affirmation.

8. Except as otherwise permitted by the hearing examiner written documents or exhibits submitted personally at the hearing must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner of preparation thereof.

9. Written statements, documents, proposals, and briefs shall be tendered in quadruplicate.

10. The rules of evidence prevailing in courts of law or equity shall not be controlling. However, it shall be the policy to exclude irrelevant, immaterial, or unduly repetitious evidence.

11. The hearing examiner shall, upon request, permit any party of record to conduct such cross examination of any witness as may be required for a full and true disclosure of the facts and to object to the admission or exclusion of evidence. Objections to the admission or exclusion of evidence shall be stated briefly with the reasons relied on. Such objections shall become a part of the record but this record shall not include argument thereon except as ordered by the hearing examiner.

12. After all testimony has been taken and all evidence has been received the hearing examiner may, upon request, permit any party of record or any other interested person to present oral argument upon the matters in issue. Any interested person other than a party of record who wishes to present oral argument shall file in the Office of the Chief Hearing Examiner, Room 4414, Department of Labor, Fourteenth Street and Constitution Avenue, Washington 25, D. C., on or before July 11, 1955, a written or telegraphic request setting forth his name and the persons or groups, if any, whom he represents; the argument of any such person shall be limited to forty-five (45) minutes. All oral arguments shall be transcribed and made a part of the record.

13. Any brief on the issues herein shall be filed no later than seven (7) days prior to the date the hearing begins. Supplemental briefs may be filed no later than ten (10) days after the transcript of the hearing is available. All briefs shall be filed in the Office of the Chief Hearing Examiner.

14. Proposed findings of fact and conclusions of law together with supporting reasons therefor may be submitted by any party of record within fifteen (15) days following the close of the hearing to the Office of the Chief Hearing Examiner.

15. All written statements, documents, proposals and briefs shall be served upon the parties of record.

16. After the time for the filing of briefs, proposed findings of fact and conclusions of law, the hearing examiner shall prepare a recommended decision containing findings of fact and conclusions of law. This recommended decision shall be served upon the parties of record who may, within ten (10) days from the date of its receipt, file in the Office of the Chief Hearing Examiner a

statement in writing setting forth any exceptions they may have to such decision together with supporting reasons therefor.

17. After the time for filing exceptions to the hearing examiner's recommended decision, the hearing examiner shall certify to the Secretary of Labor the entire record of the proceedings together with his recommended decision. The Secretary shall then render his decision in the matter.

ARTHUR LARSON,
Acting Secretary of Labor

JUNE 9, 1955.

[F. R. Doc. 55-4758; Filed, June 14, 1955;
8:49 a. m.]

CIVIL AERONAUTICS BOARD

[Public Notice PN 9]

STATEMENT OF ORGANIZATION

Recent changes in the organization of the Civil Aeronautics Board require that:

1. Public Notice PN 5, together with Amendment 1 thereto, be revoked;
2. The following statement of the Board's central and field organization be promulgated as Public Notice PN 9:

GENERAL STATEMENT

- Sec.
- 1.1 Creation and authority.
 - 1.2 Purpose and mission.
 - 1.3 Functions.
 - 1.4 Offices.

OFFICES OF MEMBERS

- 2.1 Functions of the Board.
- 2.2 Functions of the Chairman.
- 2.3 Functions of the Executive Director.

BUREAU OF HEARING EXAMINERS

- 3.1 Chief Examiner.
- 3.2 Economic Proceedings Division.
- 3.3 Safety Enforcement Proceedings Division.
- 3.4 Docket Section.

BUREAU OF AIR OPERATIONS

- 4.1 Director.
- 4.2 Foreign Air Division.
- 4.3 Routes and Carrier Relations Division.
- 4.4 Rates Division.
- 4.5 Alaska Liaison Office.
- 4.6 Bureau Counsel.

BUREAU OF SAFETY REGULATION

- 5.1 Director.
- 5.2 Air Carrier Division.
- 5.3 Airworthiness Division.
- 5.4 General Rules Division.
- 5.5 Activities common to all divisions.

BUREAU OF SAFETY INVESTIGATION

- 6.1 Director.
- 6.2 Investigation Division.
- 6.21 Investigation Field Service.
- 6.3 Hearing and Reports Division.
- 6.4 Technical Division.
- 6.5 Analysis Division.

OFFICE OF CARRIER ACCOUNTS AND STATISTICS

- 7.1 Chief.
- 7.2 Systems and Reports Division.
- 7.3 Audits Division.
- 7.4 Research and Statistics Division.

OFFICE OF THE GENERAL COUNSEL

- 8.1 General Counsel.
- 8.2 International and Rules Division.
- 8.3 Litigation and Research Division.
- 8.4 Opinion-Writing Division.

OFFICE OF COMPLIANCE

- Sec.
- 9.1 Office of Compliance.

OFFICE OF PUBLIC INFORMATION

- 10.1 Office of Public Information.

OFFICE OF ADMINISTRATION

- 11.1 Organization.
- 11.2 Documentation.
- 11.3 Administrative functions.

FIELD ORGANIZATION

- 12.1 Bureau of Air Operations.
- 12.2 Bureau of Safety Investigation.
- 12.3 Office of Carrier Accounts and Statistics.

GENERAL STATEMENT

SECTION 1.1 Creation and authority. The Civil Aeronautics Board, as distinguished from the Civil Aeronautics Administration, is an independent agency composed of five Members, appointed by the President with the confirmation of the Senate. The President annually designates one of the Members as Chairman and another as Vice-Chairman. The Board, established effective June 30, 1940, pursuant to Reorganization Plans III and IV exercises the functions of rule making (including the prescription of rules, regulations, and standards), adjudication, and investigation as prescribed in the Civil Aeronautics Act of 1938, as amended.

SEC. 1.2 Purpose and mission. The Civil Aeronautics Act of 1938 sets forth the basic principles which guide the Board and prescribes the authority pursuant to which it discharges its responsibilities. The mission of the Board is to foster and encourage the development of an air transportation system which will be adequate for the present and future needs of the foreign and domestic commerce of the United States, the postal service and the national defense; to preserve the inherent advantages of air transportation, and to regard as in the public interest competition to the extent necessary to assure the sound development of an air transportation system adjusted to the national needs; and to regulate air commerce in such manner as to best promote its development and safety.

SEC. 1.3 Functions. In general, the Board performs four chief functions: (1) Regulation of the economic aspects of United States air carrier operation, both domestic and international; (2) promulgation of safety standards in the form of Civil Air Regulations; (3) investigation and analysis of aircraft accidents; (4) co-operation and assistance in the establishment and development of international and domestic air transportation. These functions are briefly described in the following paragraphs:

(a) *Economic regulation.* The Board grants or denies "certificates of public convenience and necessity" to American flag carriers for both domestic and international operation and "permits" to foreign carriers; prescribes or approves rates and rate practices of air carriers and determines mail rate compensation; fosters the safe and expeditious transportation of mail and seeks to ensure that reasonable and adequate service to

the public is rendered by air carriers, without unjust discriminations, undue preferences or advantages, or unfair or destructive competitive practices; approves or disapproves business relationships between air carriers, including contracts, agreements, interlocking relationships, consolidations, mergers, and acquisitions of control and issues appropriate regulations for the purpose of carrying out these functions. The Board investigates upon complaint or upon its own initiative anything done or omitted to be done by any person or group in contravention of the provisions of the Civil Aeronautics Act; and takes appropriate action to enforce the act.

(b) *Safety regulation.* The Board prescribes safety rules and regulations, including standards for the issuance of airman certificates, aircraft type, production and airworthiness certificates, and air carrier operating certificates; and has the power to suspend or revoke such certificates.

(c) *Accident investigation and analysis.* The Board prescribes rules of notification and report of accidents involving civil aircraft; reviews reports of all accidents and determines, after investigation to the extent required, the probable cause of all accidents. Formal reports by the Board are made public when deemed to be in the public interest. The Board conducts special studies and research, establishing basic causative and statistical factors and prepares air safety bulletins for the purpose of reducing the number of aircraft accidents and preventing their recurrence.

(d) *Development of international civil aviation.* The Board consults with and assists the State Department in the negotiation of agreements with foreign governments for the establishment or development of air transportation, air navigation, air routes and services; keeps informed with respect to operations of foreign air lines and foreign aviation policies. The Board provides information for and co-ordinates with the International Civil Aviation Organization in the development of all international safety and operational standards. The Board contributes to the expense and personnel requirements of the Air Coordinating Committee; provides information and advice in the Committee's examination of aviation problems and in its recommendations establishing the United States viewpoint on international and domestic aviation.

SEC. 1.4 Offices. The central office of the Board is located in the Department of Commerce Building, Fourteenth Street between Constitution Avenue and E Street NW., Washington 25, D. C. All meetings of the Board, unless otherwise directed by the Board, are held at the above address. The Board's field offices are located in Alaska and principal cities of the country. The location of these offices is set forth in sections 12.1, 12.2, and 12.3.

OFFICES OF MEMBERS

SEC. 2.1 Functions of the Board. The five Members of the Board, appointed by the President, by and with the advice and consent of the Senate for six-year

terms, are charged with carrying out the duties and responsibilities devolving upon the Board under the law. Action initiated pursuant to the Board's own initiative or by any document authorized or required to be filed with the Board originates in or is referred to the appropriate organizational unit for study and recommendation to the Board in accordance with the description of functions outlined hereinafter. In cases other than those in which action is taken pursuant to a final delegation of authority, or in which the responsibility is that of the Chairman (see section 2.2 below) final action is taken by the Board. (See Public Notice PN 8 for statements of final delegations of authority.) The staff of the Board is organized into the following major organizational components:

- (a) Bureau of Hearing Examiners.
- (b) Bureau of Air Operations.
- (c) Bureau of Safety Regulation.
- (d) Bureau of Safety Investigation.
- (e) Office of Carrier Accounts and Statistics.
- (f) Office of the General Counsel.
- (g) Office of Compliance.
- (h) Office of Public Information.
- (i) Office of Administration.

SEC. 2.2 Functions of the Chairman.

(a) In addition to his duties as a Member of the Board, the Chairman serves as presiding officer at meetings of the Board, determines the order in which day-to-day matters will receive attention of the Board, and by virtue of his role as chairman, is called upon to act as spokesman for the Board before committees of Congress. In the absence or disability of the Chairman, the foregoing duties are exercised by the Vice-Chairman.

(b) Pursuant to Reorganization Plan 13 of 1950, the Chairman is responsible for the executive and administrative functions of the Board, including functions with respect to the appointment and supervision of personnel, the distribution of business among such personnel and among major organizational components of the Board, and the use and expenditure of funds.

(c) Under the terms of Reorganization Plan 13, the Chairman, in exercising the functions enumerated above, is limited by (1) the general policies of the Board and by such regulatory decisions, findings and determinations as the Board may by law be authorized to make; (2) the requirement that the appointment by the Chairman of the heads of major organizational components under the Board shall be subject to the approval of the Board, provided that personnel employed regularly and full time in the immediate offices of Members of the Board other than the Chairman shall not be affected by the provisions of Reorganization Plan 13; (3) and the reservation to the Board of its functions with respect to revising budget estimates and with respect to determining upon the distribution of appropriated funds according to major program purposes.

SEC. 2.3 Functions of the Executive Director. The Executive Director, acting for, and under general delegation of authority from, the Chairman and the

Board, serves as General Manager of the Board with responsibility for planning, supervising and co-ordinating the activities of the staff.

BUREAU OF HEARING EXAMINERS

SEC. 3.1 Chief Examiner. The Chief Examiner supervises the Bureau of Hearing Examiners, which is responsible for the conduct and disposition of all formal proceedings before the Board arising under Titles IV, VI, and X, and section 1002 of the act. The Bureau of Hearing Examiners consists of the following organizational components:

- (a) Economic Proceedings Division.
- (b) Safety Enforcement Proceedings Division.
- (c) Docket Section.

SEC. 3.2 Economic Proceedings Division. The Economic Proceedings Division conducts all formal proceedings before the Board arising under Title IV of the Act; schedules the time and place of such hearings; supervises prehearing conferences; and prepares recommendations (except in those economic proceedings for the determination of passenger, cargo, and mail rates) to the Chief Examiner or the Board respecting the disposition of such matters as require action by the Chief Examiner or the Board.

SEC. 3.3 Safety Enforcement Proceedings Division. The Safety Enforcement Proceedings Division conducts and disposes of all formal proceedings under sections 602 through 609 of the act, regarding the issuance, amendment, suspension, and revocation of the various types of airman certificates, airworthiness certificates, air carrier operating certificates, production certificates, air navigation facility certificates and air agency certificates; prepares recommendations to the Chief Examiner or the Board respecting the dispositions of such matters as require action by the Chief Examiner or the Board; and prepares final decisions pursuant to instructions from the Board.

SEC. 3.4 Docket Section. The Docket Section receives, docket, and maintains all documents in formal proceedings before the Board, makes official service of notices, orders, rules, reports, and decisions upon all interested persons; examines all filings for compliance with Procedural Regulations, advises and assists the public in preparing documents in accordance with the Procedural Regulations; and issues periodic statements and reports respecting the status of all formal proceedings.

BUREAU OF AIR OPERATIONS

SEC. 4.1 Director. The Director supervises the Bureau of Air Operations, which is responsible for interpretation of economic data and advice involving regulatory policy, and for advice regarding procedure to be followed in the economic regulation of domestic, overseas, and international air transportation. The Bureau of Air Operations consists of the following organizational components:

- (a) Foreign Air Division.
- (b) Routes and Carrier Relations Division.

(c) Rates Division.

(d) Alaska Liaison Office.

SEC. 4.2 Foreign Air Division. The Foreign Air Division advises on the formulation of positions to be taken by the United States on international civil aviation matters involving economic foreign policy; serves as liaison between the Board and the Department of State; provides representation, when so designated, in connection with international conferences and bilateral or multilateral relations with foreign countries. In the discharge of these duties the Foreign Air Division analyzes economic data bearing on the problems to be dealt with.

SEC. 4.3 Routes and Carrier Relations Division. The Routes and Carrier Relations Division is concerned with the legal and economic aspects of matters arising under sections 401, 402, 404, 405 (e) 416, and 1002 of the Civil Aeronautics Act of 1938, as amended, and section 6 (b) of the Air Commerce Act, as amended, relating to the authorization of routes and other services required to meet the objectives of the act, whether by issuance of certificate of public convenience and necessity, foreign air permit or exemption order, and relating to the route patterns and services required to provide such services, and relating to all carrier relationships matters arising under sections 401 (i) 402 (h) 407 (a) 407 (b), 407 (c) 408, 409, 411, 412, 1002 (i), and 1102 of the Act. The Routes and Carrier Relations Division develops for consideration by the Board statements of policy and program objectives, and recommends or takes action, where authority has been delegated, with respect to specific matters pending before the Board.

SEC. 4.4 Rates Division. The Rates Division is concerned with the economic and legal aspects of matters relating to determination of mail rates pursuant to section 406 of the act, determination of commercial rates pursuant to sections 403, 404, and 1002 of the act and the commercial rate aspects of International Air Transport Association resolutions. With respect to these matters, the Rates Division prepares for consideration of, and adoption by, the Board statements of policy and of program objectives and recommends or takes action where authority has been delegated with respect to specific cases pending before the Board.

SEC. 4.5 Alaska Liaison Office. The Alaska Liaison Office is concerned with the administration of the Act and the Economic Regulations as they relate to matters affecting pilot-owners and to tariff and service matters affecting Alaskan air carriers; advising the Board and the Bureau Director on Alaskan air transportation problems; and conferring with the Alaskan air carriers, government and civic bodies and with users of air transportation in Alaska.

SEC. 4.6 Bureau Counsel. An attorney from the Bureau of Air Operations is designated as Bureau Counsel to present the Bureau's position in formal proceedings before the Board arising under the Civil Aeronautics Act, as amended.

BUREAU OF SAFETY REGULATION

SEC. 5.1 Director The Director supervises the Bureau of Safety Regulation, which is responsible for developing and recommending to the Board the adoption of new or revised Civil Air Regulations; making appropriate recommendations to the Board regarding international activities as reflected by the operation of the International Civil Aviation Organization; and making appropriate recommendations to the Board in regard to those matters considered by the Air Co-ordinating Committee and requiring Board action. The Bureau of Safety Regulation consists of the following organizational components:

- (a) Air Carrier Division.
- (b) Airworthiness Division.
- (c) General Rules Division.

SEC. 5.2 Air Carrier Division. The air Carrier Division analyzes the need for and develops technical findings and recommendations governing the preparation of new regulations and amendments to existing regulations prescribing the minimum safety standards with respect to air carrier operations involving the certification of air carrier airmen, aircraft operational procedures, inspection and overhaul of aircraft, engines, propellers, and appliances, and air traffic rules; conducts technical research of transport-type aircraft, equipment, and operations, and studies current technological developments and aviation practices as a basis for formulating safety standards; and advises and assists the Board and other organizational units of the Board on any matter involving safety regulation of air carrier operations.

SEC. 5.3 Airworthiness Division. The Airworthiness Division analyzes the need for and develops technical findings and recommendations governing the preparation of new regulations and amendments to existing regulations prescribing the minimum design and performance safety standards for airworthiness certification of aircraft, engines, propellers, and appliances; conducts technical research of the airworthiness aspects of aircraft, equipment, and operations, and studies current technological developments and aviation practices as a basis for formulating safety standards; and advises and assists the Board and its organizational components on problems of an engineering nature.

SEC. 5.4 General Rules Division. The General Rules Division analyzes the need for and develops technical findings and recommendations governing the preparation of new regulations or amendments to existing regulations prescribing minimum safety standards which have general application to all phases of civil aviation such as: The certification of pilots (student, private, and commercial) mechanics, control tower operators, and parachute riggers, aircraft operational procedures, inspection and overhaul of aircraft, engines, propellers, and appliances, air traffic rules, airmen schools and repair stations, and the transportation of explosives and other dangerous articles; conducts technical

research of nontransport-type aircraft, equipment, and operations, and studies current technological developments and aviation practices as a basis for formulating safety standards; and advises and assists the Board and its organizational components on matters relating to the general safety problems of operations, utilization of equipment, certification of airmen and air agencies.

SEC. 5.5 Activities common to all divisions. Each division, within its own area of specialization, participates in the development of related international standards as prescribed by the International Civil Aviation Organization and modifies United States standards and practices as may be necessary to conform to the international standards; represents the United States at meetings of the Technical Divisions of the International Civil Aviation Organization, Air Navigation Commission and at other meetings concerned with matters falling within the field of interest of the Board and within the technical competence of the Bureau of Safety Regulation and analyzes the results of these meetings and co-ordinates standards and recommends practices adopted by the International Civil Aviation Organization with the Civil Air Regulations; prepares the United States position on matters with which the Air Coordinating Committee is concerned and in which the Board has a primary interest and assists other divisions of the Air Co-ordinating Committee in preparation of the United States position on matters in which the Board has a secondary or indirect interest; and continually examines manuals and other related materials implementing the Civil Air Regulations to ensure their proper interpretation and application.

BUREAU OF SAFETY INVESTIGATION

SEC. 6.1 Director The Director supervises the Bureau of Safety Investigation, which is responsible for investigation and analysis of aircraft accidents. The Bureau of Safety Investigation consists of the following organizational components:

- (a) Investigation Division.
- (b) Hearing and Reports Division.
- (c) Technical Division.
- (d) Analysis Division.

SEC. 6.2 Investigation Division. The Investigation Division directs and assists in the investigation of aircraft accidents to determine their probable cause, and develops current techniques for such investigations. It makes recommendations as to the need for, and participates in, public and special inquiries; makes recommendations to prevent recurring accidents; develops educational material in various specialized phases of air safety and conducts research and special studies relating to hazards potentially capable of resulting in serious accidents.

SEC. 6.21 Investigation Field Service. The field service of the Investigation Division investigates accidents and hazardous conditions involving civil aircraft of United States registry, and accidents to foreign civil aircraft occurring within

the United States; reports facts and derives conclusions with respect to probable causes of such accidents; co-ordinates research with other interested governmental agencies and industry representatives regarding such accidents; and participates in the conferences thereon and as members of the Board of Inquiry at subsequent public inquiries.

SEC. 6.3 Hearing and Reports Division. The Hearing and Reports Division arranges for and conducts public and special accident inquiries in order to ascertain the facts, conditions, circumstances, and probable cause of accidents involving aircraft; prepares all evidence, takes depositions, administers oaths and issues subpoenas for witnesses and documents incident to such inquiries; prepares and presents to the Board for adoption preliminary statements of fact and formal accident investigation reports; and arranges for the reproduction of exhibits and factual documents of accident investigation for parties of interest.

SEC. 6.4 Technical Division. The Technical Division directs the investigation of the technical aspects of aircraft accidents, including necessary tests, involving the engineering problems of aerodynamics, aircraft structure, applicable meteorological factors, powerplants, propellers, electrical, radio and electronic instruments and related equipment; assists in conduct of public hearings and in the preparation of the technical portion of reports of accidents, assembles technical data relating to aircraft accidents and aeronautical hazards, prepares technical analysis of aircraft accidents; makes recommendations on technical problems to eliminate aeronautical hazards; and represents the Board at conferences held to obtain action on technical aviation matters.

SEC. 6.5 Analysis Division. The Analysis Division classifies and analyzes all reports of accidents involving aircraft in order to establish their basic causal and statistical factors; makes statistical analysis of civil aircraft accidents to isolate elements requiring corrective action and to determine accident trends; compiles statistical and analytical reports for the information of the Board and the public; and edits and issues safety bulletins and accident reports.

OFFICE OF CARRIER ACCOUNTS AND STATISTICS

SEC. 7.1 Chief. The Chief supervises the Office of Carrier Accounts and Statistics, which is responsible for recommending economic regulations related to the general accounting and statistical programs and participating with the General Counsel in the formulation of such regulations; for approving all accounting and statistical data prepared for release as an official Board publication; for representing the Board at interdepartmental, industry and international conferences at the direction of the Board; for insuring effective co-ordination with other Offices and Bureaus; and for the administrative and technical direction of the functions of the Office. The Office of Carrier Accounts and Sta-

tistics consists of the following organizational components:

- (a) Systems and Reports Division.
- (b) Audits Division.
- (c) Research and Statistics Division.

SEC. 7.2 *Systems and Reports Division.* The Systems and Reports Division recommends uniform systems of accounts and a uniform system of periodic financial, operational and accounting reports, and necessary revisions thereof for all air carriers; drafts instructions and letters of interpretations; recommends modifications or waiver of uniform requirements; examines reports filed by air carriers for adherence to reporting requirements; prepares recurrent reports of operational and financial data; prepares special reports to meet stipulated requirements; provides expert advice and assistance on accounting matters; and maintains liaison with accounting personnel in private, public and government practice.

SEC. 7.3 *Audits Division.* The Audits Division conducts field examinations of carrier accounts and records to insure adherence to the accounting and reporting requirements; collects data requested by other organizational units of the Board requiring access to carrier records; maintains close liaison with the Office of Compliance, reporting all significant violations of the accounting and reporting requirements to that Office for direct enforcement action; refers to other appropriate components for information and action, data indicating possible violations of the Act or of the Economic Regulations and any other data of interest or value; provides expert advice and assistance on auditing matters; and maintains liaison with auditing persons in industry and other Federal agencies.

SEC. 7.4 *Research and Statistics Division.* The Research and Statistics Division conducts comprehensive economic surveys and studies related to the development and regulation of civil air transport; develops instructions for the conduct of periodic traffic surveys and other research projects and supervises the technical performance of such projects; prepares statistical indices and develops techniques for forecasting economic trends; comments on prospectuses relating to the issuance of securities by air carriers when so requested; provides expert advice and assistance on accounting and statistical matters; provides cartographic and mechanical drafting services; and maintains liaison with industry and government accounting and statistical officers.

OFFICE OF THE GENERAL COUNSEL

SEC. 8.1 *General Counsel.* The General Counsel supervises the Office of the General Counsel which is responsible for providing the Board and the staff with advice in connection with the legal aspects of economic and safety regulatory activities; personally represents the Board in litigation, negotiations, and conferences (including international) which involve legal considerations and where the proceedings present complex, novel or significant matters; and serves

on governmental (e. g., Air Co-ordinating Committee) and international (e. g., International Civil Aviation Organization) committees. The Office of the General Counsel consists of the following organizational components:

- (a) International and Rules Division.
- (b) Litigation and Research Division.
- (c) Opinion-Writing Division.

SEC. 8.2 *International and Rules Division.* The International and Rules Division participates in the drafting, negotiation, modification and interpretation of international agreements relating to civil aviation and renders legal advisory service in connection therewith; maintains liaison with other units of the Board, other Federal agencies and state aviation authorities on legal aspects of the Board's program; provides representation on various committees, such as ICAO Legal Committee and the Legal Division of the Air Co-ordinating Committee; co-ordinates formulation of the Board's legislative program; drafts testimony and statements for use by the Board Members or staff members for hearings before Congressional committees; presents testimony at hearings upon proposed legislation; examines legislative proposals of interest to the Board and prepares legislative reports thereon to the Congress and the Board; drafts proposed legislation and reports to the Board on the status of legislative activity; prepares, reviews, interprets economic, safety and procedural regulations and amendments thereto, and insures that the proper procedural steps are followed in the promulgation thereof; and provides legal advice and assistance on administrative matters and on matters relating to defense mobilization.

SEC. 8.3 *Litigation and Research Division.* The Litigation and Research Division represents the Board, in collaboration with the Department of Justice, in court actions to which the Board is a party, or is interested, in order to sustain action previously taken by the Board, including preparation of the record, drafting of all necessary briefs, motions and other documents and argument of the case before the court; and performs legal research for and renders legal opinions based thereon on matters of general interests or applicability.

SEC. 8.4 *Opinion-Writing Division.* The Opinion-Writing Division drafts opinions, orders, certificates and permits in all cases other than safety proceedings where the issues, substantive or procedural, warrant formal expression by the Board, in accordance with instructions of the Board; and recommends to the Board appropriate action on petitions for reconsideration of a previously prepared order and with respect to other motions or petitions filed at any time after the Examiner's report is filed.

OFFICE OF COMPLIANCE

SEC. 9.1 *Office of Compliance.* The Office of Compliance is responsible for the development and execution of a program designed to obtain observance of the economic provisions of the Civil Aeronautics Act of 1938, as amended, and of all economic orders, regulations

and other requirements promulgated by the Board. The Office of Compliance initiates and conducts investigations of alleged violations; seeks to obtain voluntary compliance by informal action; negotiates, where appropriate, formal stipulations and other consent agreements to cease and desist from illegal practices or recommends the issuance of an appropriate Board order; seeks adjustment of informal complaints; presents evidence and argument in formal economic enforcement proceedings; institutes and prosecutes civil and criminal actions; and maintains liaison with other government agencies in connection with enforcement activities.

OFFICE OF PUBLIC INFORMATION

SEC. 10.1 *Office of Public Information.* The Office of Public Information is responsible for dissemination of information to the public and the press, including preparation and initial distribution of news releases, periodic reports and general information relating to the Board's activities, and serves as the primary channel through which general inquiries from the public or press are handled.

OFFICE OF ADMINISTRATION

SEC. 11.1 *Organization.* The Secretary of the Board also serves as Director of the Office of Administration, which consists of the following organizational components:

- (a) Minutes Section.
- (b) Budget and Fiscal Section.
- (c) Management Section.
- (d) Personnel Section.
- (e) General Services Section.
- (f) Publications Section.
- (g) Library.

SEC. 11.2 *Documentation.* The Secretary is responsible for recording all formal actions of the Board; the processing, including review as to accuracy, form and content, of all documents evidencing such action; and for authenticating Board records for any official purpose. Pursuant to the Civil Aeronautics Act of 1938, as amended, the Secretary has legal custody of records and documents as specified therein.

SEC. 11.3 *Administrative Functions.* As Director, Office of Administration, the Secretary is responsible for providing budget, fiscal, management, personnel and other administrative services to the Board and the staff which include: (a) Developing the Board's annual budget estimates for "Salaries and Expenses" as well as estimates of appropriations for "Payments to Air Carriers" and the justification of these estimates before the Bureau of the Budget and the Appropriations Committees of Congress; (b) developing the Board's annual fiscal plan for utilizing its appropriation for "Salaries and Expenses" and maintaining a system for administrative control of expenditures to conform with such plan and the requirements of law and of regulations; (c) disbursement of, and accounting for, subsidy payments to air carriers in accordance with the provisions of Reorganization Plan 10 of 1953, which involves, among other things, review and processing of the carriers'

monthly billings; (d) appraisal of and recommendations concerning the organization of the Board, distribution of functions, operating procedures and management techniques and maintenance of a Manual setting forth current organization, methods and administrative practices; (e) recommending and administering personnel policies and programs and insuring that the same comply with the law and regulations and, pursuant to delegation of authority, taking final action on individual personnel matters; (f) provision for space, equipment, supplies, communications, reproduction and other resources and facilities.

FIELD ORGANIZATION

SEC. 12.1 Bureau of Air Operations. The Alaska Liaison Office of the Bureau is located at Loussac-Sogn Building, Anchorage, Alaska (P O. Box 2219)

SEC. 12.2 Bureau of Safety Investigation. Field offices of the Bureau are located at the following addresses:

Field Office Address and Territory

Federal Bldg., New York International Airport, Jamaica, N. Y.; Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, Vermont, New York, Pennsylvania, New Jersey, Delaware, Maryland, West Virginia and Virginia.

P. O. Box 720, Municipal Airport, Atlanta, Ga., North Carolina, South Carolina, Georgia, Tennessee, Alabama, and Mississippi, except that portion of Alabama and Mississippi south of the 31st parallel.

P. O. Box 931, Miami International Airport Branch, Miami 48, Fla., Florida and those parts of Alabama, Mississippi and Louisiana east of the 91st meridian and south of the 31st parallel.

6200 South Cicero Ave., Chicago 38, Ill., Ohio, Kentucky, Indiana, Michigan, Wisconsin, Illinois, Minnesota and North Dakota.

Federal Office Bldg., 911 Walnut St., Kansas City, Mo., Missouri, Iowa, South Dakota, Nebraska, Kansas, Wyoming and Colorado.

P. O. Box 1689, Fort Worth 1, Tex., Texas, Oklahoma, Arkansas and Louisiana, except that portion east of the 91st meridian.

506 Santa Monica Blvd., Santa Monica, Calif., New Mexico, Arizona and that portion of California and Nevada south of the following boundary: intersection of the coastline and the 36th parallel eastward to longitude 118°36' thence northerly along the ridge of the Sierra Nevada Mountains to longitude 119°30' and parallel 38° to the Utah State line.

P. O. Box 86, Oakland Airport Station, Oakland 14, Calif., Utah and the northern portion of Nevada and California north of the Santa Monica office boundary.

Room 202, Administration Bldg., King County Airport, Seattle 8, Wash., Washington, Oregon, Idaho and Montana.

P. O. Box 2219, Anchorage, Alaska; Alaska.

SEC. 12.3 Office of Carrier Accounts and Statistics. Field offices of the Office of Carrier Accounts and Statistics are located at 2 Park Avenue, New York 16, New York, and at the Old Mint Building, Fifth and Mission Streets, San Francisco, California.

Effective: July 8, 1954.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 55-4771; Filed, June 14, 1955; 8:52 a. m.]

[Docket No. 6647]

NORFOLK-ATLANTA NONSTOP INVESTIGATION

NOTICE OF ORAL ARGUMENT

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on June 22, 1955, at 10:00 a. m., e. d. s. t., in Room 5042, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets NW., Washington, D. C., before the Board.

Dated at Washington, D. C., June 9, 1955.

[SEAL] FRANCIS W BROWN,
Chief Examiner

[F. R. Doc. 55-4772; Filed, June 14, 1955; 8:52 a. m.]

[Docket No. 3292]

EASTERN AIR LINES, INC., ROUTE CONSOLIDATION CASE

NOTICE OF POSTPONEMENT OF HEARING

Notice is hereby given that hearing in the above-entitled proceeding assigned for June 21, 1955, is postponed and will be held on June 28, 1955, at 10:00 a. m., e. d. s. t., in Conference Room A, Departmental Auditorium, Twelfth Street and Constitution Avenue NW., Washington, D. C., before Examiner Walter W Bryan.

Dated at Washington, D. C., June 10, 1955.

[SEAL] FRANCIS W BROWN,
Chief Examiner

[F. R. Doc. 55-4773; Filed, June 14, 1955; 8:53 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6614]

KANSAS GAS AND ELECTRIC CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF SECURITIES

JUNE 9, 1955.

Notice is hereby given that on May 20, 1955, the Federal Power Commission issued its order adopted May 20, 1955, authorizing issuance of securities in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-4746; Filed, June 14, 1955; 8:47 a. m.]

[Docket No. G-2217]

NORTHERN NATURAL GAS CO.

NOTICE OF OPINION NO. 281 AND ORDER

JUNE 9, 1955.

Notice is hereby given that on May 20, 1955, the Federal Power Commission issued its opinion and order adopted May

19, 1955, prescribing rate zones and rate differentials in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-4747; Filed, June 14, 1955; 8:47 a. m.]

[Docket No. G-2490]

SOUTHERN NATURAL GAS CO.

NOTICE OF ORDER AFFIRMING DECISION

JUNE 9, 1955.

Notice is hereby given that on May 20, 1955, the Federal Power Commission issued its order adopted May 19, 1955, affirming the Presiding Examiner's decision in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-4748; Filed, June 14, 1955; 8:47 a. m.]

[Docket Nos. 8695-8697, 8619]

STANOLIND OIL AND GAS CO. ET AL.

NOTICE OF SEVERANCE OF PROCEEDINGS AND OF HEARING

JUNE 10, 1955.

In the matters of Stanolind Oil and Gas Company (Operator) et al., Docket No. G-8697; Phillips Petroleum Company, Docket No. G-8695; Continental Oil Company, Docket No. G-8696; Gulf Oil Corporation, Docket No. G-8919.

Upon consideration of (1) motion to reset hearing, now scheduled for June 15, 1955, filed by Counsel for Gulf Oil Corporation on June 10, 1955, in the above-entitled matters; (2) motion for continuance of said hearing filed by Counsel for Phillips Petroleum Company in Docket No. G-8695; (3) motion to reconsider, vacate and set aside order consolidating proceedings and for severance of applications, filed by Counsel for Stanolind Oil and Gas Company on June 2, 1955, in the above-entitled matters;

Notice is hereby given that:

(A) The proceeding in the matter of Phillips Petroleum Company, Docket No. G-8695, and the proceeding in the matter of Gulf Oil Corporation, Docket No. G-8919, are severed from the above-entitled consolidated proceedings heretofore scheduled for hearing on June 15, 1955, and a hearing thereon is hereby scheduled to commence on July 18, 1955, at 10:00 a. m., e. d. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C.

(B) The proceedings in the matters of Stanolind Oil and Gas Company, Docket No. G-8697, and Continental Oil Company, Docket No. G-8696, will be heard as previously scheduled, namely, on June 15, 1955, at 10:00 a. m., e. d. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C.

Paragraphs (A) and (B) of the Commission's order adopted May 18, 1955, and issued May 19, 1955, in the above-

entitled matters are amended accordingly.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-4764; Filed, June 14, 1955;
8:50 a. m.]

[Project No. 78]

PACIFIC GAS & ELECTRIC CO.

NOTICE OF POSTPONEMENT OF HEARING

JUNE 8, 1955.

Upon consideration of the telegraphic request by Counsel for Pacific Gas & Electric Company for continuance of the hearing now scheduled for June 20, 1955, in the above-designated matter:

Notice is hereby given that said hearing is postponed to a date to be hereafter fixed by further notice.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-4749; Filed, June 14, 1955;
8:47 a. m.]

[Project No. 2009]

VIRGINIA ELECTRIC AND POWER CO.

NOTICE OF ORDER PROVISIONALLY SUPPLEMENTING ORDER ON REHEARING

JUNE 9, 1955.

Notice is hereby given that on April 8, 1955, the Federal Power Commission issued its order adopted April 6, 1955, in the above-entitled matter supplementing order on rehearing providing the company shall file for approval by the Commission a revised Exhibit L drawing showing the changes in project structures resulting from construction of the water supply pipeline.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-4750; Filed, June 14, 1955;
8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 10, 1955.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT-HAUL

FSA No. 30733: Canned goods between points in official territory. Filed by C. W. Bohn and O. E. Swenson, Agents, for interested rail carriers. Rates on canned or preserved foodstuffs, carloads, from and to points in official territory, on the one hand, and to and from points in northern Illinois, southern Wisconsin and extended Zone "C" in Wisconsin, on the other.

Grounds for relief: Short-line distance formula and circuitry.

Tariff: Supplement 6 to Agent Bohn's I. C. C. A-1004.

FSA No. 30734: Lumber—North Pacific Coast to Wisconsin. Filed by W. J. Prueter, Agent, for interested rail carriers. Rates on lumber and related commodities, carloads, from North Pacific Coast points to points in Wisconsin on the Chicago, Burlington & Quincy Railroad—Potosi to Trempealeau, inclusive.

Grounds for relief: Circuitous routes. FSA No. 30735: Cross ties and poles, Winnfield, La., to Lake Charles, La. Filed by the Louisiana & Arkansas Railway Company, for itself and the Kansas City Southern Railway Company. Rates on wooden cross ties and poles, carloads, from Winnfield, La., to Lake Charles, La., for export.

Grounds for relief: Circuitous route. Tariff: Supplement 7 to Louisiana & Arkansas Railway Company I. C. C. 1705.

FSA No. 30736: Commodities from and to the Southwest. Filed by F. C. Kratzmeier, Agent, for interested rail carriers. Rates on various commodities, carloads, from and to points in the Southwest, on one hand, and to and from points in official, southern, and western trunk-line territories, on the other.

Grounds for relief: Circuitous routes. FSA No. 30737: Petroleum—Western points to Illinois, Michigan, and Wisconsin. Filed by W. J. Prueter, Agent, for interested rail carriers. Rates on petroleum and its products, in tank-car loads, from refining, marine and pipeline terminals in Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, South Dakota, and Wisconsin, to specified destinations in Illinois, Michigan, and Wisconsin.

Grounds for relief: Motor-truck competition and circuitry.

Tariffs: Supplement 113 to Agent Prueter's I. C. C. A-3790 and one other tariff.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 55-4756; Filed, June 14, 1955;
8:49 a. m.]

[Notice 64]

MOTOR CARRIER APPLICATIONS

JUNE 10, 1955.

Protests, consisting of an original and two copies, to the granting of an application must be filed with the Commission within 30 days from the date of publication of this notice in the FEDERAL REGISTER and a copy of such protest served on the applicant. Each protest must clearly state the name and street number, city and state address of each protestant on behalf of whom the protest is filed (49 CFR 1.240 and 1.241). Failure to seasonably file a protest will be construed as a waiver of opposition and participation in the proceeding unless an oral hearing is held. In addition to other requirements of Rule 40 of the general rules of practice of the Commission (49 CFR 1.40), protests shall include a request for a public hearing, if one is desired, and shall specify with

particularity the facts, matters and things, relied upon, but shall not include issues or allegations phrased generally. Protests containing general allegations may be rejected. Requests for an oral hearing must be supported by an explanation as to why the evidence cannot be submitted in the forms of affidavits. Any interested person, not a protestant, desiring to receive notice of the time and place of any hearing, prehearing conference, taking of depositions, or other proceedings shall notify the Commission by letter or telegram within 30 days from the date of publication of this notice in the FEDERAL REGISTER.

Except when circumstances require immediate action, an application for approval, under section 210a (b) of the act, of the temporary operation of motor carrier properties sought to be acquired in an application under section 5 (a) will not be disposed of sooner than 10 days from the date of publication of this notice in the FEDERAL REGISTER. If a protest is received prior to action being taken, it will be considered.

APPLICATIONS OF MOTOR CARRIERS OF PROPERTY

No. MC 1358 Sub 23, filed May 27, 1955, HARLEY WHITE AND HARRY WHITE, doing business as WHITE BROTHERS TRANSFER COMPANY, P. O. Box 168, Cumberland, Iowa. Applicant's attorney: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. For authority to operate as a common carrier, over irregular routes, transporting: *Floor tile and siding*, from Kankakee, Ill. to Columbus, Grand Island, Hastings, Lincoln and Omaha, Nebr.

No. MC 1893 Sub 4, filed May 9, 1955, DELBERT H. STEPHENS AND FERDINAND A. KLEIN, doing business as SPOKANE, ST. MARIES AUTO FREIGHT, West 28 Boone Avenue, Spokane, Washington. For authority to operate as a common carrier over regular routes, transporting: *General commodities*, except livestock and articles exceeding 22 feet in length, between St. Maries, Idaho and Avery, Idaho, from St. Maries over unnumbered county highways to Avery, and return over the same route, serving the intermediate points of St. Joe and Calder, Idaho, and Campsite of Potlatch Forests, Inc., Camp #44, located approximately 9 miles south of the main road to Avery, Idaho and three miles west of Avery. Applicant is authorized to conduct operations in Washington and Idaho.

No. MC 2978 Sub 5, filed June 3, 1955, CLE-MAR CARTAGE, INC., R. R. 1, Cromwell, Ind. Applicant's attorney: Louis E. Smith, 316-318 Chamber of Commerce Bldg., Indianapolis 4, Ind. For authority to operate as a contract carrier over irregular routes, transporting: *Paper products*, from Chicago, Ill., to all points in Michigan, Ohio, and Wisconsin, and St. Louis, Mo., and *Rollled paper stock*, from points in Michigan and Wisconsin to Chicago, Ill., and Marion, Ind. Applicant is authorized to conduct operations in Illinois, Indiana, Michigan, Missouri and Ohio.

No. MC 3107 Sub 11, filed May 31, 1955, WHITE OWL EXPRESS, INC., 212

Osmun Street, Pontiac, Mich. Applicant's attorney Ferdinand Born, 708 Chamber of Commerce Building, Indianapolis 4, Ind. For authority to operate as a *common carrier* transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, serving the site of the new plant of the Ford Motor Company (to be known as the Ford Motor Company, Chassis Parts Division, Sterling Plant) at or near the intersection of Mound Road and Seventeen Mile Road in Sterling Township, Macomb County, Mich., as an off-route point in connection with carrier's regular route operations to and from Detroit, Mich., and Pontiac, Mich., over U. S. Highways 10 and 12 and Michigan Highways 17 and 53. Applicant is authorized to conduct operations in Illinois, Indiana, and Michigan.

No. MC 3341 Sub 13, filed May 27, 1955, LAKE MOTOR FREIGHT LINES, INC., 2222 W Sample St., South Bend, Ind. Applicant's attorney Ferdinand Born, 708 Chamber of Commerce Bldg., Indianapolis 4, Ind. For authority to operate as a *common carrier* over regular routes, transporting: *General commodities*, except those of unusual value, Class A and Class B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, serving the site of the Ford Motor Company, Chassis Parts Division, Sterling Plant, at or near the intersection of Mound Road and Seventeen Mile Road in Sterling Township, Macomb County, Mich., as an off-route point in connection with applicant's presently authorized regular route operations over U. S. Highway 24 between Detroit, Mich., and Chicago, Ill., and over U. S. Highway 25, between Detroit, Mich., and Akron, Ohio. Applicant is authorized to conduct operations in Illinois, Indiana, Michigan, and Ohio.

No. MC 3468 Sub 137, filed June 7, 1955, F. J. BOUTELL DRIVEAWAY CO., INC., 705 South Dort Highway, Flint 7, Mich. Applicant's attorney Harry C. Ames, Jr., Transportation Building, Washington 6, D. C. For authority to operate as a *common carrier* over irregular routes, transporting: *New automobiles, new trucks, new bodies, new cabs, and new chassis*, restricted to secondary movements, in truckaway and driveaway service, (1) between points in Massachusetts, on the one hand, and, on the other, points in Maine, New Hampshire, Rhode Island, and Connecticut, and (2) between points in New York, on the one hand, and, on the other, points in Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine.

NOTE: Applicant states that it seeks no duplicating authority. Applicant is authorized to conduct operations in Connecticut, Delaware, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and the District of Columbia.

No. MC 7205 Sub 1, filed April 1, 1955, RALPH POZZI, CARL A. POZZI, CLINTON D. POZZI, AND WAYNE POZZI, doing business as POZZI BROS. TRANSPORTATION CO., 705 West Meeker St., Kent, Wash. For authority to operate as a *common carrier* over irregular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Seattle, Kent, and Auburn, Wash., on the one hand, and, on the other, points in that portion of King County, Wash., bounded on the north by SE. 150th, on the east by 216th Ave., SE., on the west by East Valley Road, and on the south by the King-Pierce County line. Applicant is authorized to conduct regular route operations in Washington.

No. MC 74922 Sub 1, filed March 28, 1955, HIGHBRIDGE VAN CO., INC., 1139 Ogden Avenue, New York, N. Y. For authority to operate as a *common carrier* over irregular routes, transporting: *Household goods*, as defined in 17 M. C. C. 467 and including *baggage* between New York, N. Y., on the one hand, and, on the other, points in New York, traversing the State of New Jersey for operating convenience only, together with *motion to dismiss* on the ground applicant is authorized to transport said commodities under its existing authority to transport "household goods as defined by the Commission." Any interested person may obtain a copy of the motion upon request from applicant and replies thereto filed by a protestant will be considered if filed with the Commission within 40 days after date of publication of this notice in the FEDERAL REGISTER. Applicant is authorized to conduct operations in all States in the United States and the District of Columbia.

No. MC 30319 Sub 54, filed June 3, 1955, SOUTHERN PACIFIC TRANSPORT COMPANY, 810 N. San Jacinto St., P. O. Box 4054, Houston, Tex. For authority to operate as a *common carrier* over regular routes, transporting: *General commodities*, except those of unusual value, Class A and Class B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, between Bremond, Tex., and Neale, Tex., from Bremond over Texas Highway 6 to Harrison, Tex., thence over unnumbered County Road to Neale, and return over the same route, serving, in addition to the termini, the intermediate-point stations of Reagan, Marlin, Perry Riesel, and Harrison, Tex., presently served by applicant's affiliate, The Texas and New Orleans Railroad. Applicant is authorized to conduct operations in Texas and Louisiana.

No. MC 30605 Sub 84, filed June 9, 1955, THE SANTA FE TRAIL TRANSPORTATION COMPANY, Broadway and English Streets, Wichita, Kans., Applicant's attorney Francis J. Steinbrecher, 80 E. Jackson Blvd., Chicago 4, Ill. For authority to operate as a *common carrier*, transporting: *General commodities*,

except commodities in bulk, and except livestock, inflammables, and articles of unusual value, or unusual size requiring special equipment, (1) between Johnson, Kans., and Elkhart, Kans., via Kansas Highway 27 to Elkhart, Kans., also between the junction of Kansas Highway 27 and Kansas Highway 51 at Richfield, Kans., via Kansas Highway 51 to Rolla, Kans., (2) between the junction of U. S. Highway 160 and U. S. Highway 270 at Ulysses, Kans., via U. S. Highway 270 to the junction of U. S. Highway 270 and Kansas Highway 45, approximately two (2) miles from Hugoton, Kans., (3) *General commodities*, except those of unusual value, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between the junction of U. S. Highway 183 and unnumbered county road near Gibson, Kans., via U. S. Highway 183 to junction of U. S. Highway 183 and U. S. Highway 54, near Greensburg, Kans., (4) *General commodities*, except those of unusual value, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between the junction of U. S. Highway 160 and Kansas Highway 49, approximately 12 miles west of Wellington, Kans., via Kansas Highway 49 to the junction of Kansas Highway 49 and U. S. Highway 81 at Caldwell, Kans., also, between the junction of Kansas Highway 44 and unnumbered highway approximately 8 miles east of Anthony, Kans., via Kansas Highway 44 to junction of Kansas Highway 44 and Kansas Highway 49. (5) *General commodities*, except livestock, and except sand, coal, rock, hay, commodities exceeding capacity of equipment, and articles prohibited by law from transportation in motor vehicles, between the junction of U. S. Highway 40 and Alternate U. S. Highway 40 at Junction City, Kans., via U. S. Highway 40 to the junction of U. S. Highway 40 and Alternate U. S. Highway 40 at Manhattan, Kans., and Class A and B explosives, except liquid nitroglycerine, over the above-described routes, as connecting routes for operating convenience only, serving no intermediate points, in connection with carrier's presently authorized operations. RESTRICTION: The service to be performed by the carrier shall be limited to service which is auxiliary to, or supplemental of, train service of the railway. The carrier shall not render any service to, or from, or interchange traffic at, any point not a station on the railway. In operating under the rights acquired to which these conditions relate, or under a combination of those rights and rights otherwise confirmed in it, the carrier shall not transport any shipment between any of the following points, or through, or to, or from, more than one of said points: Wichita, Hutchinson, and Dodge City, Kans., and Pueblo, Colo. All contractual arrangements between the carrier and the railway shall be reported to the Commission and shall be subject to revisions, if and as the Commission finds it to be necessary in order that such arrange-

ments shall be fair and equitable to the parties. Such further specific conditions as the Commission in the future, may find it necessary to impose in order to insure that the service shall be auxiliary to, or supplemental of, train service. Carrier is authorized to conduct operations in Arkansas, Colorado, Kansas, Missouri, Nebraska, New Mexico, Oklahoma, and Texas.

No. MC 30605 Sub 85, filed June 9, 1955, THE SANTA FE TRAIL TRANSPORTATION COMPANY, Broadway and English Streets, Wichita, Kans. Applicant's attorney Francis J. Stembrecher, 80 E. Jackson Blvd., Chicago 4, Ill. For authority to operate as a common carrier transporting: *General commodities*, except those of unusual value, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between junction Oklahoma Highway 15 and U. S. Highway 60 near Orienta, Okla. over Oklahoma Highway 15 to the junction of Oklahoma Highway 15 and unnumbered County Road near Curtis, Okla., also, between junction of Oklahoma Highway 15 and U. S. Highway 281 over U. S. Highway 281 to the junction of U. S. Highway 281 and unnumbered country road approximately six (6) miles south of Waynoka, Okla., *general commodities*, except livestock, sand, coal, rock, hay, commodities exceeding capacity of equipment, and articles prohibited by law from transportation in motor vehicles, between the junction of Oklahoma Highway 11 and Oklahoma Highway 20 at Skiatook, Okla., over Oklahoma Highway 20 to the junction of Oklahoma Highway 20 and Oklahoma Highway 99 at Hominy, Okla., *Class A and Class B explosives*, except liquid nitroglycerine, over all the above-described routes, as connecting routes for operating convenience only, serving no intermediate points, in connection with carrier's presently-authorized operations. **RESTRICTION:** The service to be performed by the carrier shall be limited to service which is auxiliary to, or supplemental of, train service of the railway. The carrier shall not render any service to, or form, or interchange traffic at, any point not a station on the railway. In operating under the rights acquired to which these conditions relate, or under a combination of those rights and rights otherwise confirmed in it, the carrier shall not transport any shipment between any of the following points, or through, or to, or from, more than one of said points: Wichita, Hutchinson, and Dodge City, Kans., and Pueblo, Colo. All contractual arrangements between the carrier and the railway shall be reported to the Commission and shall be subject to revisions, if and as the Commission finds it to be necessary in order that such arrangements shall be fair and equitable to the parties. Such further specific conditions as the Commission in the future, may find it necessary to impose in order to insure that the service shall be auxiliary to, or supplemental of, train service. Applicant is authorized to conduct operations in Arkansas, Colorado, Kansas, Missouri,

Nebraska, New Mexico, Oklahoma, and Texas.

No. MC 30837 Sub 182, filed May 27, 1955, KENOSHA AUTO TRANSPORT CORPORATION, a corporation, 4519—76th St., Kenosha, Wis. Applicant's attorney Louis E. Smith, 316-318 Chamber of Commerce Building, Indianapolis 4, Ind. For authority to operate as a *common carrier* over irregular routes, transporting: *Camp trailers*, designated to be drawn by passenger automobiles, in initial movements, in truckway service, from Olive, Calif., to points in the United States including the District of Columbia. Applicant is authorized to conduct operations throughout the United States including the District of Columbia.

No. MC 34870 Sub 3, filed May 31, 1955, ANTHONY H. SANTIAGO AND MARIO CECCHINI, doing business as Bison City Cartage Co., 500 Niagara Frontier Food Terminal, Buffalo 6, N. Y. Applicant's representative: Bray J. Foley, 27 Carolina Street, Buffalo 41, N. Y. For authority to operate as a *contract carrier* over irregular routes, transporting: *Meats, meat products and meat by-products, dairy products, and articles distributed by meat-packing houses*, as defined by the Commission in Ex Parte No. MC-38, (1) from Buffalo, N. Y., to points in New York on and west of a line beginning at Morristown, N. Y., and extending along New York Highway 37 to Watertown, N. Y., thence along U. S. Highway 11 to the New York-Pennsylvania State line, and (2) from Buffalo, N. Y., to points in Pennsylvania on, north and west of a line beginning at the Pennsylvania-New York State line and extending along U. S. Highway 11 to junction U. S. Highway 106, thence along U. S. Highway 106 to Terrytown, Pa., thence along U. S. Highway 6 to Smethport, Pa., thence along Pennsylvania Highway 68 to Butler, Pa., thence along U. S. Highway 422 to the Pennsylvania-Ohio State line. *Empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified on return. Applicant is authorized to conduct operations in New York.

No. MC 38383 Sub 8, filed June 3, 1955, THE GLENN CARTAGE COMPANY, a corporation, 1115 South State Street, Girard, Ohio. Applicant's attorney Wm. R. Hefferan, 1419-25 Majestic Building, Detroit 26, Mich. For authority to operate as a *common carrier*, over irregular routes, transporting: *Steel, steel products, and machinery*, from The Ford Motor Company Chassis Parts Manufacturing Plant located at the intersection of Seventeen Mile Road and Mound Road, Sterling Township, Macomb County, Mich., to points in Michigan, Ohio, Pennsylvania, New York, West Virginia, and points in Kentucky within five miles of the Ohio River. Applicant is authorized to conduct operations in Kentucky, Michigan, New York, Ohio, Pennsylvania and West Virginia.

No. MC 40007 Sub 40, filed May 27, 1955, RELIABLE TRANSPORTATION COMPANY, a corporation, 4817 Shella St., Los Angeles 22, Calif. For authority to operate as a *common carrier*, over

irregular routes, transporting: *Tallow, and tallow greases*, in bulk, in tank vehicles, from points in California, to the Port of Stockton, Calif. Applicant is authorized to conduct operations in California.

No. MC 40007 Sub 41, filed May 27, 1955, RELIABLE TRANSPORTATION COMPANY, a corporation, 4817 Shella St., Los Angeles 22, Calif. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum products*, in bulk, in tank trucks and tank trailers, from points in Riverside, San Bernardino, Imperial, San Diego, Orange, and Los Angeles Counties, Calif., to points in Arizona. Applicant is authorized to conduct operations in Arizona, California, and New Mexico.

No. MC 40269 Sub 31, filed May 18, 1955, COOK TRUCK LINES, INC., 25 East Virginia Ave., Memphis, Tenn. For authority to operate as a *common carrier* over regular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment, between Durant, Miss., and Jackson, Miss., over U. S. Highway 51, as an alternate route in connection with applicant's regular route operations (1) between Memphis, Tenn., and Clarksdale, Miss., (2) between Clarksdale, Miss., and Greenville, Miss., and (3) between Greenville and Jackson, Miss. Applicant is authorized to conduct operations in Mississippi, Louisiana, and Tennessee.

No. MC 41432 Sub 71, filed May 31, 1955, EAST TEXAS MOTOR FREIGHT LINES, a corporation, 623 North Washington St., Dallas, Tex. Applicant's attorney Warren Whitham, Empire Bank Building, Dallas 1, Tex. For authority to operate as a *common carrier*, transporting: *Ammunition* (explosives, incendiary, or gas, smoke or tear producing) also *manufactured ingredients and component parts of ammunition*, and *general commodities*, except those of unusual value, explosives (other than ammunition and manufactured ingredients and component parts of ammunition as specified above) livestock, rock, gravel, sand, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the East Texas Pulp and Paper Company, at or near Evadale, Tex., as an off-route point, in connection with regular route operations between Fort Worth, Tex., and Port Arthur, Tex., over U. S. Highways 69, 80, 271, and 287, Texas Highways 21, and 64, and unnumbered highway. Applicant is authorized to conduct operations in Arkansas, Illinois, Indiana, Missouri, Tennessee, and Texas.

No. MC 44947 Sub 10, filed May 25, 1955, DEIOMA TRUCKING CO., a corporation, Box 11, East Sparta, Ohio. Applicant's attorney Noel F. George, 44 East Broad Street, Columbus 15, Ohio. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Pallets, slides, and empty containers*, used in transporting the commodities described in this application, between points in Ohio, on the one hand, and, on the other, points in Michigan, Mary-

land, New York, Pennsylvania, West Virginia, Indiana, New Jersey, Delaware, Virginia, and the District of Columbia.

No. MC 58923 Sub 22, filed June 2, 1955, GEORGIA HIGHWAY EXPRESS, INC., 2090 Jonesboro Road, S. E., Atlanta, Ga. Applicant's attorney: Allen Post, 1220 First National Bank Bldg., Atlanta 3, Ga. For authority to operate as a *common carrier* transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, serving Sugar Valley, Ga., as an off-route point in connection with carrier's regular route operations between Chattanooga, Tenn., and Atlanta, Ga. Applicant is authorized to conduct operations in Alabama, Georgia, and Tennessee.

No. MC 59583 Sub 69, filed June 3, 1955, THE MASON & DIXON LINES, INCORPORATED, Eastman Road, Kingsport, Tenn. Applicant's attorney: Clifford E. Sanders, Grant Bldg., Kingsport, Tenn. For authority to operate as a *common carrier* transporting: *General commodities*, except those of unusual value, Class A and Class B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Danville, Va., and Roanoke, Va., from Danville over U. S. Highway 58 to Martinsville, Va., and thence over carrier's authorized regular route to Roanoke, Va., as an alternate or connecting route for operating convenience only serving no points not presently authorized. Applicant is authorized to conduct operations in Virginia, North Carolina, South Carolina, Tennessee, Georgia, Pennsylvania, New Jersey, New York, Delaware, Maryland, and the District of Columbia.

No. MC 59681 Sub 44, Filed May 10, 1955 (Amended) DAKOTA TRANSFER & STORAGE COMPANY, A Corporation, 11 Oak Street, S. E., Minneapolis, Minn. Applicant's attorney: Alan Foss, First National Bank Building, Fargo, N. Dak. For authority to operate as a *common carrier* transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, serving the site of the United States Air Force base and points within five miles thereof, located approximately ten to twenty miles north of Glasgow, Mont., as an off-route point in connection with carrier's regular-route operations in Montana. Applicant is authorized to conduct operations in Illinois, North Dakota, Minnesota, Iowa, Wisconsin and Montana.

No. MC 64932 Sub 183, filed June 2, 1955, ROGERS CARTAGE CO., a corporation, 1934 So. Wentworth Ave., Chicago, Ill. Applicant's attorney: Jack Goodman, 39 South LaSalle Street, Chicago 3, Ill. For authority to operate as a *common carrier* over irregular routes, transporting: *Corn syrup*, in bulk, in

tank vehicles, from Decatur, Ill., to points in Pennsylvania, West Virginia, and New York. Applicant is authorized to conduct operations in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, Tennessee, and Wisconsin.

No. MC 77424 Sub 6, filed May 27, 1955, WENHAM TRANSPORTATION, INC., 2723 Orange Avenue, Cleveland 15, Ohio. Applicant's representative: J. J. Kuhner, 931 Society for Savings Bldg., Cleveland 14, Ohio. For authority to operate as a *common carrier* over irregular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between the site of the Ford Motor Company plant, located in Sterling Township, Macomb County, Mich., on the one hand, and, on the other, points in Ohio, *building materials, steel, and feed*, between the site of the Ford Motor Company plant, located in Sterling Township, Macomb County Mich., on the one hand, and, on the other, points in Brooke, Hancock, and Ohio Counties, W. Va., and those in Washington County, Pa., and *road building materials and heavy machinery*, between the site of the Ford Motor Company plant, located in Sterling Township, Macomb County, Mich., on the one hand, and, on the other, points in Brooke, Hancock, Marshall, Ohio, Tyler, and Wetzel Counties, W. Va. Applicant is authorized to conduct operations in Illinois, Indiana, Michigan, Missouri, New York, Ohio, Pennsylvania, and West Virginia.

No. MC 80284 Sub 14, filed May 26, 1955, CHRISPENS TRUCK LINES, INC., 4551 S. Racine Ave., Chicago, Ill. Applicant's attorney: Joseph M. Scanlan, 111 West Washington St., Chicago 2, Ill. For authority to operate as a *contract carrier* over irregular routes, transporting: *Printing paper and paper products, wood pulp, and paper mill supplies, and empty containers or other such incidental facilities* (not specified) used in transporting the commodities described in this application, between Hamilton, Ohio, on the one hand, and, on the other, Washington, D. C., Baltimore, Md., and Philadelphia, Pa. Applicant is authorized to conduct operations in Illinois, Indiana, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and Wisconsin.

No. MC 85205 Sub 4, filed April 28, 1955, GEORGE C. SMITH, JR., doing business as SMITH TRANSPORTATION CO., 417 E. Boone Street, Santa Maria, Calif. Applicant's attorney: R. Y. Schureman, 639 S. Spring Street, Los Angeles 14, Calif. For authority to operate as a *common carrier* over irregular routes, transporting: *Diatomaceous earth and diatomaceous earth products*, from points in Santa Barbara County, Calif., to points in the Los Angeles, Calif., Commercial Zone and the Los Angeles Harbor Commercial Zone, as defined by the Commission, San Francisco, Marin, and San Mateo Counties, Calif., and those in Solano, Contra Costa, and Alameda Counties, Calif., which are located on or

west of California State Highway 21. Applicant is authorized to conduct operations in California.

No. MC 95540 Sub 260, filed May 31, 1955, WATKINS MOTOR LINES, INC., P. O. Box 785, Cassidy Road, Thomasville, Ga. Applicant's attorney: Joseph H. Blackshear, Gainesville, Ga. For authority to operate as a *common carrier*, over irregular routes, transporting: *Refrigerated bakery products and frozen foods*, from Bogart, Ga., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland (except Baltimore), Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey (except Newark, Bridgeton, North Bergen, and points within 15 miles of North Bergen), New York (other than points in the New York, N. Y., Commercial Zone as defined by the Commission, and those in Nassau and Westchester Counties), North Carolina, Ohio, Oklahoma, Pennsylvania (except points in the Philadelphia, Pa., Commercial Zone as defined by the Commission), South Carolina, Tennessee, Texas, Virginia (except Richmond and Norfolk) West Virginia, and Wisconsin. Applicant is authorized to conduct operations in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia.

No. MC 96568 Sub 9, filed June 3, 1955, ROBERT R. MUSKIN and JEROLD B. MUSKIN, doing business as MUSKIN TRUCKING CO., East Palestine, Ohio. Applicant's attorney: Noel F. George, 44 East Broad St., Columbus 15, Ohio. For authority to operate as a *contract carrier* over irregular routes, transporting: *New furniture*, uncrated, from Tyler, Tex., to points in Tennessee on and west of a line extending over U. S. Highway 45 from the Mississippi-Tennessee State line to Fairview, Tenn., thence over U. S. Highway 45W to Union City, Tenn., and thence over Tennessee Highway 21 to the Tennessee-Kentucky State line, with *damaged and defective shipments* of uncrated new furniture on return movements. Applicant is authorized to conduct operations in the District of Columbia and all states in the United States excepting Arizona, California, Florida, Georgia, Idaho, Maine, Montana, Nevada, New Hampshire, New Mexico, North Dakota, Oregon, South Carolina, Utah, Vermont, Washington, and Wyoming.

No. MC 103880 Sub 145, filed May 26, 1955, PRODUCERS TRANSPORT, INC., 530 Paw Paw Ave., Benton Harbor, Mich. Applicant's attorney: Jack Goodman, 39 S. LaSalle Street, Chicago 3, Ill. For authority to operate as a *common carrier* over irregular routes, transporting: *Liquid acids and chemicals, and tallow, fatty acids, fatty acid esters, stearic acids and butyl styrene*, in bulk, in tank vehicles, from Cincinnati, Ohio, to points in Michigan, Indiana, and Illinois. Applicant is authorized to conduct operations in Michigan, Ohio, Illinois, Indiana,

Wisconsin, Kentucky, New York, Pennsylvania, and West Virginia.

No. MC 106398 Sub 35, filed June 2, 1955, NATIONAL TRAILER CONVOY, INC., 1916 N. Sheridan Rd., Box 8096 Dawson Station, Tulsa, Okla. For authority to operate as a *common carrier*, over irregular routes, transporting: *House, cabin and bungalow trailers, and trailers containing special equipment*, designed to be drawn by passenger automobiles, in initial movements, in truck-away service, from Bristol and Middlebury, Ind. to all points in the United States. Applicant is authorized to conduct operations throughout the United States.

No. MC 107107 Sub 63, filed May 26, 1955, ALTERMAN TRANSPORT LINES, INC., 2424 Northwest 46th St., Miami, Fla. Applicant's attorney: Frank B. Hand, Jr., Transportation Bldg., Washington 6, D. C. For authority to operate as a *common carrier* over irregular routes, transporting: *Frozen fruit juice, other than citrus juice*, from Lakeland, Fla. and points within 100 miles thereof, to points in Florida, Georgia, South Carolina, North Carolina, Virginia, West Virginia, Maryland, District of Columbia, New Jersey, Pennsylvania, New York, Connecticut, Massachusetts, Rhode Island, Indiana, Illinois, Ohio, Michigan, Wisconsin, North Dakota, South Dakota, Minnesota, Missouri, Nebraska, Iowa, Kansas, Tennessee, Kentucky, Alabama, Arkansas, Louisiana, Texas, Oklahoma, Delaware, and Mississippi; *empty containers or other such incidental facilities* (not specified) used in transporting the above-named commodity on return. Applicant is authorized to conduct operations in Delaware, Pennsylvania, New Jersey, New York, Maryland, and Florida.

No. MC 107323 Sub 28, filed May 31, 1955, RUSSELL GILLILAND AND MAURICE GILLILAND, doing business as GILLILAND TRANSFER COMPANY, 21 W. Sheridan St., Fremont, Mich. Applicant's attorney: Kit F. Clardy, Olds Tower, Lansing, Mich. For authority to operate as a *common carrier* over irregular routes, transporting: *Empty glass containers*, from Dolton, Ill., to Fremont, Mich., and Hart, Mich. Applicant is authorized to conduct operations in Illinois, Indiana, Ohio, Michigan, New York, and West Virginia.

No. MC 107496 Sub 60, filed May 31, 1955, RUAN TRANSPORT CORPORATION, 408 SE. 30th Street, Des Moines, Iowa. For authority to operate as a *common carrier* over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Sugar Creek, Mo., to points in Iowa. Applicant is authorized to conduct operations in Illinois, Iowa, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin.

No. MC 110117 Sub 3, filed May 20, 1955, and amended June 2, 1955, M. R. KENDRICK, doing business as KENDRICK CARTAGE COMPANY, Salem, Ill. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Acids and chemicals*, in bulk, in tank vehicles, and *Fertilizers and fertilizer compounds*, in bulk, in tank vehicles, or in bags, from points in Jefferson County, Mo., to points in Arkansas, Illi-

nois, Indiana, Iowa, Kansas, Kentucky, Oklahoma, Tennessee and Wisconsin, and *Empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified in this application on return. Applicant is authorized to conduct operations in Illinois, Arkansas, Kentucky, Missouri and Tennessee.

No. MC 110190 Sub 23, filed June 3, 1955, PENN-DIXIE LINES, INC., 2000 South George Street, York, Pa. Applicant's attorney: Christian V. Graff, 11 North Front Street, Harrisburg, Pa. For authority to operate as a *common carrier* over irregular routes, transporting: *Frozen foods*, from points in Potter Township, Centre County, Pa., to points in Ohio, New Jersey, Maryland and Kentucky, with no transportation for compensation on return except as otherwise authorized. Applicant is not presently authorized to transport the commodity specified.

No. MC 110284 Sub 2, filed May 31, 1955, H. W. MILLER TRUCKING COMPANY, A Corporation, Hillsboro Road, P. O. Box 605, West Durham Station, Durham, N. C. Applicant's attorney: William M. York, 201-204 Jefferson Building, Greensboro, N. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Rejected shipments of foil, foil, scrap, aluminum, lead, lead and tin or zinc, with or without paper, paperboard or pulpboard back*, in package or on skids, from Durham, N. C., to Richmond, Va.

No. MC 112178 Sub 1, filed May 25, 1955, VERNE REIHER AND ROY REIHER, doing business as REIHER BROS., Allison, Iowa. Applicant's attorney: Stephen Robinson, 1020 Savings & Loan Building, Des Moines 9, Iowa. For authority to operate as a *common carrier* over irregular routes, transporting: *Animal and poultry feed, fly spray and mange oil*, in cans or drums, *empty bags and sacks*, such as paper, cloth and burlap, *advertising material* used solely in connection with the sale and distribution of animal and poultry feed and fly spray and mange oil, from Burlington, Wis., to points in Allamakee, Winnebago, Howard, Worth, Mitchell, Cerro Gordo, Floyd, Chickasaw, Fayette, Clayton, Franklin, Butler, Bremer, Black Hawk, Buchanan, Delaware, Dubuque, Hardin, Grundy, Story, Marshall and Tama Counties, Iowa.

No. MC 112792 Sub 2, filed May 31, 1955, O. W. LEVAN, doing business as BURNA TRUCKING COMPANY, Burna, Ky. For authority to operate as a *common carrier* over irregular routes, transporting: *Mixed animal feed and poultry feed*, from St. Louis, Mo., and East St. Louis, Ill., to Kuttawa, Ky. Applicant is authorized to conduct operations in Illinois and Kentucky.

No. MC 112795 Sub 2, filed May 27, 1955, JOHN MERTENS, doing business as MERTENS TRANSIT, Dorchester, Wis. Applicant's attorney: Edward A. Solie, 715 First National Bank Building, Madison 3, Wis. For authority to operate as a *common carrier*, over irregular routes, transporting: *Cheese*, from Green Bay, Wis., to Butte, Mont., Seattle and Spokane, Wash., and Portland, Oreg.

No. MC 113000 Sub 1, filed May 9, 1955, ROBERT E. ANDERSON, Ashby, Minn. For authority to operate as a *contract carrier* over irregular routes, transporting: *Insulation and insulating materials*, from Fergus Falls, Minn., to points in Nebraska, for Pal-O-Pak Company. Applicant is authorized to conduct operations in Minnesota, North Dakota, South Dakota, Iowa, and Wisconsin.

No. MC 113437 Sub 2, filed June 2, 1955, BELLINGER TRANSPORTATION, INC., 407 South Perry Street, Johnstown, N. Y. Applicant's representative: Bert Collins, 140 Cedar Street, New York, 6, N. Y. For authority to operate as a *contract carrier* over irregular routes, transporting: *Tanning materials, such as, but not limited to, tanning filler and nitre cake*, in containers, from Johnstown, N. Y., to Ashtabula and Cleveland, Ohio, New York, N. Y., Commercial Zone, and Petersburg, W. Va. Applicant is not authorized to transport the commodities specified.

No. MC 113779 Sub 15, filed May 25, 1955, YORK INTERSTATE TRUCKING, INC., 8222 Market Street Rd., Houston 15, Tex. For authority to operate as a *common carrier* over irregular routes, transporting: *Methanol*, in bulk, in tank vehicles, from Sterlington, La. to Houston, Tex., *contaminated shipments of methanol on return*. Applicant is authorized to conduct operations in Texas and Louisiana.

No. MC 114067 Sub 8, filed March 17, 1955, amended March 31, 1955, JAMES W. FORE, doing business as FORE TRUCKING COMPANY, 923 Wright Avenue, Richmond, Calif. Applicant's attorney: E. Conrad Connella, 111 Sutter Building, Suite 800, San Francisco 4, Calif. For authority to operate as a *common carrier* over irregular routes, transporting: *Tallow*, in tank vehicles equipped with steam coils for heating, from points in Ada County, Idaho, to points in the San Francisco, Calif., Commercial Zone as defined by the Commission, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified on return.

No. MC 115265 Sub 1, filed May 26, 1955, HARRY S. FOWLER, doing business as FOWLER AIR SERVICE, 211 South Ray Street, New Castle, Pa. Applicant's attorney: Maurice Levinson, Lawrence Savings and Trust Company, New Castle, Pa. For authority to operate as a *common carrier* over irregular routes, transporting: *General commodities, including those of unusual value*, in packages, limited to 200 pounds, having prior or subsequent movement by air, except Class A and B explosives, household goods as defined by the Commission, commodities in bulk and commodities requiring special equipment, between points in Lawrence County, Pa. to Youngstown Municipal Airport, Trumbull County, Ohio.

No. MC 115356 Sub 1, filed June 3, 1955, ILLINOIS CARGO, INC., 14625 Marshfield Avenue, Harvey, Ill. Applicant's attorney: Carl L. Steiner, 39 South LaSalle Street, Chicago 3, Ill. For authority to operate as a *common carrier* over irregular routes, transporting: *Steel billets*, from the plant of the

Green River Steel Company located at or near Owensboro, Ky., to the plant of the Wyman Gordon Company located at Harvey, Ill., and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified in this application, on return movement.

No. MC 115374, filed May 25, 1955, (Amended) HAROLD F. EMSLIE AND STANLEY A. EMSLIE, doing business as EMSLIE BROTHERS REG'D., Junction Street, Beebe, Quebec, Canada. For authority to operate as a *common carrier* over irregular routes, transporting: *Rough and finished granite*, from Barre, South Barre, Webstersville, Graniteville and Montpelier, Vt., to points on the International Boundary line between the United States and Canada at Derby Line, Vt., and Beebe, Vt.

No. MC 115375, filed May 26, 1955, DON P. SHARP 341 Cutler Street, Waterloo, Iowa. For authority to operate as a *contract carrier* over regular routes, transporting: *Malt beverages*, from Milwaukee, Wis., to Waterloo, Iowa, from Milwaukee over Wisconsin Highway 30 to Madison, Wis., thence over U. S. Highway 18 to Dodgeville, Wis., thence over Wisconsin Highway 151 to the Wisconsin-Illinois State line, thence from the Wisconsin-Illinois State line over Illinois Highway 35 to East Dubuque, Ill., thence over U. S. Highway 20 to Waterloo, serving no intermediate points; *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified in this application, from Waterloo, Iowa, to Milwaukee, Wis., from Waterloo over U. S. Highway 63 to Williamstown, Iowa, thence over U. S. Highway 18 to Madison, Wis., thence over Wisconsin Highway 30 to Milwaukee, serving no intermediate points.

No. MC 115379, filed May 31, 1955, JOHN D. BOER, JR., R. D. #2, Annville, Pa. Applicant's attorney: Christian V. Graf, 11 North Front Street, Harrisburg, Pa. For authority to operate as a *common carrier* over irregular routes, transporting: *Limestone and limestone products*, from points in Dauphin and Lebanon Counties, Pa., to points in Delaware and points in Cecil, Caroline, Dorchester, Kent, Queen Annes, Somerset, Talbot, Wicomico, Hartford and Worcester Counties, Md.

No. MC 115380, filed May 31, 1955, JOHN W. BOLTON, 35 Arnold Street, Westfield, Mass. Applicant's attorney: Arthur M. Marshall, 145 State Street, Springfield 3, Mass. For authority to operate as a *contract carrier* over irregular routes, transporting: *Liquid petroleum gas*, in steel cylinders, *heating appliances operated by liquid petroleum gas*, equipment and supplies required to install heating appliances and empty steel containers, from Westfield, Mass., to points in Connecticut, New Hampshire, Rhode Island, and Vermont, and those in Clinton, Columbia, Dutchess, Essex, Putnam, Rensselaer, Saratoga, Warren, and Washington Counties, N. Y., and *empty steel cylinders and empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodities on return, and tobacco curing equipment operated

by liquid petroleum gas, from Toms River, N. J., to points in Connecticut and Massachusetts, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodities on return.

No. MC 115381, filed May 31, 1955, STUART DOHRMAN AND WAYNE DOHRMAN, doing business as DOHRMAN BROTHERS, Box 401, Tensed, Idaho. For authority to operate as a *common carrier* over regular routes, transporting: *Lumber* between Tensed, Idaho and Spokane, Wash., from Tensed via U. S. Highway 95 to junction with unnumbered county road north of Worley, thence over unnumbered county road to Rockford, Wash., thence over Washington State Highway 3-H to junction with U. S. Highway 10, thence over U. S. Highway 10 to Spokane, Wash., and return over the same route, serving the intermediate points of Plummer, Idaho and Worley, Idaho.

No. MC 115384, filed May 31, 1955, BLUE TAG MILLS, INC., 1301 Willow Street, Coffeyville, Kans. Applicant's attorney: Aubrey Neale, Plaza Building, Coffeyville, Kans. For authority to operate as a *contract carrier* over a regular route, transporting: *Animal feed*, from Sedan, Kans., to Pawhuska, Okla., operating from Sedan over Kansas Highway 99 to the Kansas-Oklahoma State line, thence over Oklahoma Highway 99 to Pawhuska, and return over the same route, serving no intermediate points.

No. MC 115386, filed June 2, 1955, J. C. NORMAN, INC., P. O. Box 943, Roswell, N. Mex. Applicant's attorney: O. Russell Jones, 54½ E. San Francisco Street, Southwest Corner Plaza, Santa Fe, N. Mex. For authority to operate as a *common carrier* over irregular routes, transporting: *Sulphuric acid*, in bulk, in tank vehicles, from Garfield and Thompson, Utah, and Rico, Colo., to Shiprock, N. Mex., and *empty containers or other such incidental facilities* (not specified) used in transporting the above-described commodities on return.

APPLICATIONS OF MOTOR CARRIERS OF PASSENGERS

No. MC 228 Sub 15, filed June 2, 1955, HUDSON TRANSIT LINES, INC., Franklin Turnpike, Mahwah, N. J. Applicant's attorney: James F. X. O'Brien, 17 Academy Street, Newark 2, N. J. For authority to operate as a *common carrier* over irregular routes, transporting: *Passengers and their baggage* in special operations, in round trip sightseeing and pleasure tours, from Suffern, Monroe, Goshen, Middletown, Wurtsboro, Monticello, Liberty, Hancock, Deposit, Binghamton, Endicott, Port Jervis, Newburgh, Highland and Kingston, N. Y., Hawley, Milford, Carbondale and Forest City, Pa., and Mahwah, N. J. and points within a radius of three miles of each of said points, to Graymoor, Hyde Park and West Point, N. Y., Washington, D. C., Atlantic City and Asbury Park, N. J., Philadelphia, Crystal Cave and Valley Forge, Pa., Annapolis, Md., and to the ports of entry in New York at the International Boundary between the United States and Canada, on highways running to Montreal, Canada, and re-

turn. Applicant is authorized to conduct operations in New Jersey, New York and Pennsylvania.

No. MC 1501 Sub 105, filed May 10, 1955, THE GREYHOUND CORPORATION, 2600 Board of Trade Building, Chicago 4, Ill. For authority to operate as a *common carrier*, over regular routes, transporting: *Passengers and their baggage*, and *newspapers, express, and mail*, in the same vehicle with passengers, (1) from Leesburg, Fla., to Minneola, Fla., over U. S. Highway 27; (2) from Brooksville, Fla., to junction U. S. Highways 98 and 19, over U. S. Highway 98; (3) from St. Petersburg, Fla., to junction U. S. Highways 19 and 19-A, approximately two miles north of Tarpon Springs, Fla., over U. S. Highway 19; (4) from junction U. S. Highway 19 and Florida Highway 686 to Largo, Fla., over Florida Highway 686; (5) from Largo, Fla., to Clearwater, Fla., over Florida Highway 595-A and (6) from Clearwater, Fla., to junction Florida Highway 60 and U. S. Highway 19, over Florida Highway 60. Return over these routes. Serving all intermediate points on the above-specified routes. Applicant requests revocation and cancellation, concurrent with and contingent upon approval of operating rights applied for in (1) above, of the segment of its authorized operations (a) from Leesburg, Fla., to Groveland, Fla., over Florida Highway 33, and (b) from junction Florida Highways 50 and 501 to junction Florida Highways 561 and 33, over Florida Highway 561, and the authority for segment (a) of highway proposed for abandonment is included in Certificate No. MC 1501 Sub 26, dated August 17, 1953, Route 41, reading: "From Leesburg over Florida Highway 33 to junction Florida Highway 561 at a point north of Eva", and authority for segment (b) of highway proposed for abandonment included in the above certificate in Route 14 reads, in part, "and Clermont to junction Florida Highway 561, thence over Florida Highway 561 to junction Florida Highway 33." Applicant also requests there be revoked and cancelled, concurrent with and contingent upon approval of operations applied for in (3) above, the segment of highway from junction U. S. Highways 19-A and 19, approximately two miles north of Tarpon Springs, to St. Petersburg, over U. S. Highway 19-A and Florida Highway 699 via Indian Rocks authority for which is included in Certificate No. MC 1501 Sub 26, dated August 17, 1953, Route 26, reading: "From Tarpon Springs over U. S. Highway 19 to Clearwater, thence over Florida Highway 699 via Indian Rocks and Seminole to St. Petersburg." Applicant further requests if authority is granted over the above-described routes, authorization be revoked from St. Petersburg, Fla., to junction U. S. Highways 19-A and 19, including all of Route 26 in Certificate No. MC 1501 Sub 26, dated August 17, 1953. Applicant is authorized to conduct operations throughout the United States.

No. MC 61947 Sub 20, filed May 31, 1955, CONSOLIDATED BUS LINES, INCORPORATED, 2004 Princeton Ave.,

Bluefield, W. Va. For authority to operate as a *common carrier* over regular routes, transporting: *Passengers and their baggage, mail and express*, in the same vehicle with passengers, between Hinton, W. Va., and Rich Creek, Va., from Hinton, W. Va., over primary State Route No. 12 to the West Virginia-Virginia State line approximately two-tenths (.2) mile south of the junction of Primary State Route No. 12 and U. S. highway 219 near Peterstown, W. Va., thence over U. S. Highway 219 to the junction of U. S. Highway 219 and U. S. Highway 460 at Rich Creek, and return over the same route, serving all intermediate points. Applicant is authorized to conduct operations in Virginia and West Virginia.

No. MC 115383, filed May 31, 1955, THE NIAGARA COACH LINES LIMITED, 1 Spring Street, St. Catharines, Ontario, Canada. Applicant's representative: Floyd B. Piper, Crosby Building, Franklin Street at Mohawk, Buffalo 2, N. Y. For authority to operate as a *common carrier* over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in round-trip charter operations, beginning and ending at the International Boundary line between the United States and Canada and extending through the ports of entry at or near Buffalo, Lewiston, and Niagara Falls, N. Y., to points in New York, restricted to traffic originating at Niagara-on-the-Lake, Port Weller, and Virgil, Ontario, Canada.

No. MC 115385, filed June 2, 1955, CHARLES HUBERT POSEY, Bryans Road, Charles County, Md. For authority to operate as a *common carrier* over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in chartered operations, from points in Charles County, Md., on and west of U. S. Highway 301, to points in the District of Columbia and Virginia, and return to point of origin.

APPLICATIONS UNDER SECTION 5 AND 210a (b)

No. MC-F-5995. Authority sought for control and merger by GEO. F. ALGER COMPANY, 3050 Lonyo Road, Detroit, Mich., of the operating rights and property of PORTSMOUTH TRUCK LINES CO., 42 North Canfield-Niles Road, Youngstown, Ohio, and for acquisition by A. C. SCOTT, Detroit, Mich., of control of the operating rights and property through the transaction. Applicants' attorney: Walter N. Bieneman, 2150 Guardian Bldg., Detroit, Mich. Operating rights sought to be controlled and merged: Provision operation, as a *common carrier* in Ohio. Geo. F. Alger Company is authorized to operate in Michigan, Ohio, Illinois, Indiana and Kentucky. Application has not been filed for temporary authority under section 210a (b)

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 55-4757; Filed, June 14, 1955;
8:49 a. m.]

No. 116—5

SECURITIES AND EXCHANGE COMMISSION

[File No. 812-935]

UNITED STATES & FOREIGN SECURITIES
CORP. ET AL.

NOTICE OF FILING OF APPLICATIONS FOR
ORDER EXEMPTING TRANSACTIONS BE-
TWEEN AFFILIATES INCIDENT TO MERGER

JUNE 9, 1955.

In the matter of United States & Foreign Securities Corporation, United States & International Securities Corporation, and Devon Securities Corporation; File No. 812-935.

Notice is hereby given that United States & Foreign Securities Corporation ("Foreign") United States & International Securities Corporation ("International") and Devon Securities Corporation ("Devon"), registered closed-end investment companies, have filed a joint application pursuant to section 17 (b) of the Investment Company Act of 1940 ("act") for an order exempting certain transactions pursuant to a merger of said companies and Dunwalke Securities Corporation ("Dunwalke"), a non-registered investment company, from the provisions of section 17 (a) of the act.

Dunwalke owns approximately 17 percent of the outstanding stock of Foreign, which owns approximately 80 percent of the outstanding common stock of International, which in turn owns all of the outstanding stock of Devon. Apart from cash of approximately \$3,250,000 Dunwalke's only asset is its holdings of 164,737 shares of common stock of Foreign. Except for International, which has a bank loan and 175,500 common stock warrants outstanding, all of the companies involved have only one class of common stock outstanding.

Pursuant to Articles and Agreement of Merger ("Agreement") it is proposed to merge International, Devon and Dunwalke into Foreign, the surviving company, by converting shares of the former companies into shares of the latter company. Foreign proposes to increase its authorized common stock from 1,000,000 shares to 3,500,000 shares and issue to its own stockholders three shares of new common stock for each of its presently outstanding 985,000 common shares. In the merger Foreign will issue one new share of its common stock for each two shares of publicly held common stock of International, and Devon, being wholly-owned by International, will be collapsed into the latter company. The common stock holders of Dunwalke will receive, in the merger, one share of new common stock of Foreign for each share of common stock of Dunwalke held, the shares of new common stock of Foreign being available for such distribution through the exchange by Dunwalke of its holdings of 164,737 shares of old common stock of Foreign for new common stock of Foreign on a 1 for 3 basis and the purchase of additional shares of new common stock of Foreign by Dunwalke for cash.

On the basis of the above exchange and sale Foreign will have outstanding,

upon completion of the merger, 3,310,815 shares of new common stock, distributed as follows:

3 new shares for each 820,263 old shares of publicly held common stock of Foreign	2,460,783
3 new shares for each 164,737 old shares of common stock of Foreign held by Dunwalke	494,211
1/2 new share for each 495,830 shares of publicly held common stock of International	248,445
New shares issued for cash of Dunwalke	107,370
	<hr/> 3,310,815

The conversion ratios of the common stocks of Foreign and International have been determined upon the basis of relative adjusted net asset values at April 30, 1955, with securities for which market quotations are readily available being valued at the market value at April 29, 1955, and other securities at their estimated fair values, as determined by the boards of directors. Cash, receivables and liabilities were taken into account at face value. Such adjusted net asset values also reflect distributions prior to the merger of undistributed ordinary net income and realized capital gains since January 1, 1955, an allowance equivalent to federal capital gains tax on unrealized appreciation of investments and an adjustment for outstanding warrants to purchase common stock of International. The adjusted net assets per share as of April 30, 1955, was \$90.64 for Foreign and \$15.11 for International. After giving effect to the conversion ratios, the adjusted net assets value per new share of Foreign amounted to \$30.21 as of April 30, 1955. On this basis it was determined that Dunwalke would receive 107,372 shares of new Foreign common stock for its cash of \$3,250,000.

The 175,500 presently outstanding warrants of International, which expire in 1959 and 1960, entitle each holder to purchase one share of International common stock at \$25.00 per share. The merger agreement provides that the warrants of International will continue to be outstanding for the same period after the merger, but will represent the right to purchase stock of the continuing corporation, Foreign, at \$50 per share, 2 warrants being required for the purchase of each such share. Foreign will reserve 87,750 shares of new common stock for such purpose.

It is recited in the application that Foreign and International have been advised by counsel that in their opinion as a result of the merger no taxable gain or loss will be realized by assenting stockholders, while stockholders who dissent and are paid the value of their shares will have gain or loss recognized for tax purposes.

Applicants declare that the merger is in the best interests of the stockholders of the respective corporations. It is pointed out that the boards of directors and officers of Foreign, International, and Devon are identical and that their portfolio assets are also similar in nature, therefore no useful purpose would be served by the continuation of these companies as separate entities; and it is

contended the merger will simplify administration and reduce expenses.

Generally speaking, section 17 (a) of the act prohibits an affiliated person of a registered investment company or any affiliated persons of such a person, from selling to, or purchasing from such registered investment company or any company controlled by such registered investment company, any securities or property, subject to certain exceptions, unless the Commission upon application pursuant to section 17 (b) grants an exemption from the provisions of section 17 (a) after finding that the terms of the proposed transaction, including the consideration to be paid, are reasonable and fair and do not involve overreaching on the part of any person concerned, that the proposed transaction is consistent with the policy of each registered investment company concerned, as recited in its registration statement and reports filed under the act and is consistent with the general purposes of the act. Since International and Devon are affiliates of Foreign, the proposed transfer of assets from International and Devon to Foreign is subject to the provisions of section 17 (a) of the act.

Notice is further given that any interested person may, not later than June 23, 1955, at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act:

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 55-4770; Filed, June 14, 1955;
8:52 a. m.]

[File No. 1-2791]

RELiance ELECTRIC & ENGINEERING CO.

NOTICE OF APPLICATION TO WITHDRAW
FROM LISTING AND REGISTRATION, AND OF
OPPORTUNITY FOR HEARING

JUNE 9, 1955.

In the matter of the Reliance Electric & Engineering Co., Common Stock, \$5 Par Value; File No. 1-2791.

The above-named issuer, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, has made applica-

tion to withdraw the specified security from listing and registration on the Midwest Stock Exchange.

The reasons alleged in the application for withdrawing this security from listing and registration include the following:

There have been only a few isolated transactions in this stock on the Midwest Stock Exchange in recent years and the shares have been allocated to the inactive post without a specialist.

The stock remains listed and actively traded on the American Stock Exchange.

The Midwest Stock Exchange has waived the voting requirements of its delisting rule.

Upon receipt of a request, on or before June 30, 1955, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 55-4769; Filed, June 14, 1955;
8:52 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

ALESSANDRO DOMENICI ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Alessandro, Licia, Renzo, and Amato Domenici, individually and Amato Domenici as guardian of Guiliano Domenici, minor; Florence, Italy; Claim No. 46082, Vesting Order No. 976; \$970.28 in the Treasury of the United States to, Alessandro Domenici. \$242.57 in the Treasury of the United States to each: Licia, Renzo, and Amato Domenici.

\$242.58 in the Treasury of the United States to Amato Domenici as guardian of Guiliano Domenici, minor.

Executed at Washington, D. C., on June 8, 1955.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 55-4760; Filed, June 14, 1955;
8:49 a. m.]

DANTE ROSSETTO

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Dante Rossetto, Pavone, Canavese, Italy, Claim No. 40202; \$6,993.04 in the Treasury of the United States.

Executed at Washington, D. C., on June 8, 1955.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 55-4761; Filed, June 14, 1955;
8:50 a. m.]

MARGHERITA ROSSETTO

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Margherita Rossetto, No. 6 Pavone Canavese, Turin, Italy, Claim No. 35246, Vesting Order No. 1698; \$3,275.69 in the Treasury of the United States.

Executed at Washington, D. C., on June 8, 1955.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 55-4762; Filed, June 14, 1955;
8:50 a. m.]